



राजपत्र, हिमाचल प्रदेश

हिमाचल प्रदेश राज्य शासन द्वारा प्रकाशित

शुक्रवार, 30 अगस्त, 2019/08 भाद्रपद, 1941

हिमाचल प्रदेश सरकार

LAW DEPARTMENT

NOTIFICATION

Shimla-2, the 10th July, 2019

No. LLR-E (9)-1/2018-I.—In continuation of this Department's notifications of even number dated 7th March, 2018, 17th March, 2018 and 3rd July, 2018, 29th September, 2018, 12th October, 2018, 15th November, 2018 and 13th February, 2019 the Governor, Himachal

Pradesh is pleased to order to appoint Sh. Naresh Markanda, Senior Advocate, r/o 111, Sector 16-A, Chandigarh-160015 (Ph. : 5005071, 2770071, 2544787) as Standing Counsel on behalf of the State of Himachal Pradesh before the Hon'ble Supreme Court of India and High Court of Himachal Pradesh in Civil/Criminal cases with immediate effect.

2. This engagement is purely at the pleasure of the State Government and can be withdrawn at any stage without assigning any reason(s) thereof.

3. The other terms and conditions as contained in the Notification of this Department No. LLR-E(9)1/88-III (Loose) dated 28th May, 2012 and 31st July, 2012, would apply to the said panel Advocate.

4. All the Administrative Departments are requested that before engaging the above Senior Advocate, prior approval/concurrence of the Law Department shall be invariably obtained.

By order,

Sd/-

LR-cum-Pr. Secretary (Law).

LAW DEPARTMENT

NOTIFICATION

Shimla-2, the 7th August, 2019

No. LLR-E(9)-1/2018-I.—In continuation of this Department's notifications of even number dated 7th March, 2018, 17th March, 2018 and 3rd July, 2018, 29th September, 2018, 12th October, 2018, 15th November, 2018, 13th February, 2019 and 10th July, 2019 the Governor, Himachal Pradesh is pleased to order to appoint **Sh. Karan Thakur, Advocate Enrollment No. MAH/5753, r/o Village Beena, P.O. Kalhoad, Tehsil Sundernagar, District Mandi, H.P.** as Standing Counsel on behalf of the State of Himachal Pradesh before the Hon'ble Supreme Court of India in Civil/Criminal cases with immediate effect.

2. This engagement is purely at the pleasure of the State Government and can be withdrawn at any stage without assigning any reason(s) thereof.

3. The other terms and conditions as contained in the Notification of this Department No. LLR-E(9)1/88-III (Loose) dated 28th May, 2012 and 31st July, 2012, would apply to the said panel Advocate.

4. All the Administrative Departments are requested that before engaging the above Advocate, prior approval/concurrence of the Law Department shall be invariably obtained.

By order,

Sd/-

LR-cum-Pr. Secretary (Law).

LAW DEPARTMENT**NOTIFICATION***Shimla-2, the 3rd August, 2019*

No. LLR-E(9)-1/2018-I.—In continuation of this Department's notifications of even number dated 7th March, 2018 and 17th March, 2018, the Governor, Himachal Pradesh is pleased to order to appoint **Sh. Neeraj Sharma, Advocate, Enrolment No. P/727/2018, r/o H. No. 652-653, Sector 8-B, Chandigarh (Mob. : 92176-84169) and Rubinia Sharma, Advocate HIM/ 240/ 2002, r/o H. No. 652-653, Sector 8-B, Chandigarh (Mob. : 90410-84169)** as Standing Counsels to defend the Court cases of HRTC, on behalf of the State of Himachal Pradesh for Courts at Chandigarh *i.e.* the Hon'ble Punjab & Haryana High Court at Chandigarh and District Courts Chandigarh, Panchkula & Mohali with immediate effect.

2. This engagement is purely at the pleasure of the State Government and can be withdrawn at any stage without assigning any reason(s) thereof.

3. The other terms and conditions as contained in the Notification of this Department No. LLR-E(9)1/88-III (Loose), dated 28th May, 2012 and 31st July, 2012, would apply to the said panel Advocates.

4. All the Administrative Departments are requested that before engaging the above Senior Advocate, prior approval/concurrence of the Law Department shall be invariably obtained.

By order,

Sd/-

*LR-cum-Pr. Secretary (Law).***LAW DEPARTMENT****NOTIFICATION***Shimla-2, the 21st August, 2019*

No. LLR-E(9)-2/2018-I.— In continuation of this Department notification No. LLR-E(9)-2/2018, dated 06-07-2018 and notification of even number dated 8-03-2019, the Governor, Himachal Pradesh is pleased to add the names of the following Advocates to represent the State of Himachal Pradesh in Cases pending before the District Court Kullu & Banjar Court in **District Kullu** with immediate effect:—

District Court Kullu & Banjar

Sl. No.	Name of Advocate	Name of Institution
1.	Sh. Het Ram Thakur, Advocate HIM/63/2007	HPPCL & NHPC-Stage-II

This engagement is purely at the pleasure of the State Government and can be withdrawn at any stage without assigning any reasons thereof.

The Department concerned are advised that whenever there is a need of service of any Advocate, they may engage above Advocate and settle reasonable terms and conditions of fee and thereafter, proposal may be sent through your Administrative Department, for approval of the Law Department. Further, where more than one Advocate is empanelled for the same Department, the cases will be distributed in rotation.

The notification(s) if any, issued prior to the notification dated 06-07-2018, is/are hereby superseded.

By order,

Sd/-

LR-cum-Pr. Secretary (Law).

LAW DEPARTMENT

NOTIFICATION

Shimla-2, the 21st August, 2019

No. LLR-E(9)-2/2018-I.—In continuation of this department notification number LLR-E(9)-2/2018, dated 03-07-2018, 26-07-2018, 25-10-2018, 15-11-2018, 27-11-2018, 13-12-2018, 19-12-2018 and notification of even number dated 08-03-2019 the Governor, Himachal Pradesh is pleased to add names of the following Advocates to represent the State of Himachal Pradesh in cases pending before the Courts viz. Shimla Court and Chopal Court in **District Shimla** with immediate effect:—

Court(s) at Shimla

Sl. No.	Name of Advocate	Name of Institution
1.	Mohd. Zeyaul Rahman, Advocate, r/o House No. 37, Idgha Colony, Lakkar Bazar, Shimla HIM 427/2018	Wakf Board District Shimla
Court(s) at Chopal		
1.	Seema Mehta, Advocate, VPO Chopal, HIM/99/1997	Agriculture Rural Development Bank (LMB), Chopal.

This engagement is purely at the pleasure of the State Government and can be withdrawn at any stage without assigning any reasons thereof.

The Department concerned are advised that whenever there is a need of service of any Advocate, they may engage above Advocate and settle reasonable terms and conditions of fee and thereafter, proposal may be sent through your Administrative Department, for approval of the Law Department. Further, where more than one Advocate is empanelled for the same Department, the cases will be distributed in rotation.

The notification(s) if any, issued prior to the notification dated 03-07-2018 is/are hereby superseded.

By order,

Sd/-

LR-cum-Pr. Secretary (Law).

LAW DEPARTMENT**NOTIFICATION***Shimla-2, the 21st August, 2019*

No. LLR-E(9)-2/2018-I.—In continuation of this department notification number LLR E(9)-2/2018, dated 03-07-2018, 26-07-2018 and 25-10-2018 the Governor, Himachal Pradesh is pleased to add names of the following Advocates to represent the State of Himachal Pradesh in cases pending before the Courts at Ghumarwin in **District Bilaspur** with immediate effect:—

Court(s) at Ghumarwin

Sl. No.	Name of Advocate	Name of Institution
1.	Sh. Kamal Kishore Bhardwaj, Advocate, HIM/158/2003	Gramin Bank & NHAI
2.	Sh. Naresh Kumar, Advocate, HIM 36/2014	SDM Office Ghumarwin

This engagement is purely at the pleasure of the State Government and can be withdrawn at any stage without assigning any reasons thereof.

The Department concerned are advised that whenever there is a need of service of any Advocate, they may engage above Advocate and settle reasonable terms and conditions of fee and thereafter, proposal may be sent through your Administrative Department, for approval of the Law Department. Further, where more than one Advocate is empanelled for the same Department, the cases will be distributed in rotation.

The notifications No. LLR-E(9)-1/88-IV, dated 21st May, 2013 and No. LLR E(9)-1/2016, dated 3rd October, 2016 and any other notification if issued in this regard are hereby superseded.

By order,

Sd/-

*LR-cum-Pr. Secretary (Law).***LAW DEPARTMENT****NOTICE***Shimla-2, the 28th August, 2019*

No. LLR-E(9)-4/2015-Leg.—Whereas, Shri Varinder Singh, Advocate s/o Sh. Bhagat Ram, r/o V.P.O. Nangal Jarialana, Tehsil Amb, District Una, H. P. has applied for appointment of Notary Public in Sub-Division Amb of District Una under rule 4 of the Notaries Rules, 1956. Therefore, I, the undersigned in exercise of the power conferred *vide* Government Notification No. LLR-A(2)-1/2014-Leg., dated 1st July, 2017, hereby issue notice under rule 6 of the Notaries Rules, 1956, for the information of general public for inviting objections, if any, within a period of fifteen days from the date of publication of this notice in e-Rajpatra, H. P. against his appointment as a Notary Public in Sub-Division Amb of District Una.

Sd/-

*(Competent Authority),**DLR-cum-Deputy Secretary (Law-English).*

PLANNING DEPARTMENT**NOTIFICATION***Shimla-2, the 17th July, 2019*

No. PLG. FC (F) 1-1/2018 (DPDC) Mandi.—In continuation of this department notification of even No. dated 11th June, 2018, the Governor, Himachal Pradesh is pleased to delete the names of the following non-official members of the **District Planning, Development and 20—Point Programme Review Committee of District Mandi** with immediate effect:—

Sl. No.	Name of the Non-Official Members
1.	Sh. Ravi Singh Thakur, Village Sakswal, P.O. & Teshil Kotli, Distt. Mandi, Sl. No. 38, Notification of Planning Department dated 11th June, 2018.
2.	Smt. Soma Devi, Village Rati Pul, P. O. Talyar, Tehsil and Distt. Mandi, Sl. No. 39, Notification of Planning Department dated 11th June, 2018.

By order,

Sd/-

(ANIL KUMAR KHACHI, IAS),
Addl. Chief Secretary (Planning).

REVENUE (DISASTER MANAGEMENT) DEPARTMENT**NOTIFICATION***Dated, the 19th August, 2019*

No. Rev. (DMC)(F-80)7-2/2019.—The Governor, Himachal Pradesh is pleased to notify Policy for engagement of Interns at the Himachal Pradesh State/District Disaster Management Authorities as per the Annexure on the recommendations of State Executive Committee constituted as per provisions of Disaster Management Act, 2005 to orient young students and create professionals in the field of disaster management with immediate effect.

By order,

ONKAR CHAND SHARMA,
Principal Secretary (Rev. D.M.).

Government of Himachal Pradesh**State Disaster Management Authority**

**Policy for Engagement of Interns at the
Himachal Pradesh State Disaster Management Authority (HPSDMA)
District Disaster Management Authority (DDMA)**

Disaster Management Cell, Department of Revenue H.P. Secretariat, Shimla

Tel No. + 91 177 2880331, 2880320, Toll Free No. 1070

Website: www.hpsdma.nic.inEmail: sdma-hp@nic.in

Twitter: #hpsdma, Facebook: @hpsdma

**Policy for Engagement of Interns at the
Himachal Pradesh State Disaster Management Authority (HPSDMA)
District Disaster Management Authority (DDMA)****1. Vision :**

Internship programmes are designed to provide students with the professional experience, in furtherance of their educational pursuits and are oriented to benefit them with practical experience. The HP-SDMA/DDMA(s) aims to provide an excellent internship programme on different dimensions of Disaster Management (DM)/Climate Change Adaptation (CCA) to young interns from multi-disciplinary backgrounds.

2. Key Objectives :

- (i) To complete his/her professional preparation program in a controlled and supervised field experience.
- (ii) This program will serve as an opportunity for students to gain understanding and orient students to the systems, processes and schemes on Disaster Management/ Disaster Risk Reduction (DRR).
- (iii) Enable interns to contribute innovative ideas in the area of DRR and CCA strategies.
- (iv) Promote a wider and better public understanding on the concerns of DRR/CCA and strategies to deal with them at local and global level.
- (v) Encourage documentation of best practices in the field of DRR from various districts across the state.
- (vi) Develop capacities (knowledge, attitudes and skills) of young students to create a future pool of academically and practically well-versed professionals.

3. Eligibility for the Internship Programme :

- **Essential.**—Students pursuing post-graduate courses (Disaster Management/ Environmental Sciences/Social-Sciences/Management/Public Health/any other DRR related field) shall be eligible in general to apply for the internship. Students who have recently finished their PG courses (no later than six months to one year) may also apply.
- **Desirable.**—Students enrolled in PG courses in Disaster Management and other related technical fields of DRR. Students who have recently finished their PG courses (no later than six months to one year) may also apply.

Requirement:

- Familiarity/experience/interest working in Policy Advocacy, Risk Reduction and engaging with vulnerable communities.
- Strong research skills
- Fluency in English (required) and Hindi (preferred)
- Excellent written and communication skills
- Computer skills including word processing (Microsoft Word), spreadsheets (Excel); Power points, familiarity with database design and management.
- Statistical skills
- Ability to work both independently and as part of a team

4. Duration of the Internship Programme :

Duration of internship will be from one to six months (4—24 weeks). In this period the interns are expected to report every day at the SDMA/DDMA office (except Sundays, second Saturdays and gazetted holidays).

5. Application and Selection Process :

The interested candidates may send their CVs alongwith a brief proposal/work-plan via email to sdma-hp@nic.in. These will be reviewed by a Selection Committee. Interns will be selected on the basis of their qualifications, experience and merit of the proposal.

A cover letter specifying the internship/volunteering opportunity the interns are interested in and why they are a good fit for the position, alongwith start/end dates and estimated availability of the interns should be stated clearly and sent along with the CVs. Due to the large number of applicants, only those considered for an interview will be contacted.

6. Logistic Support :

Interns will be provided with work space in the Emergency Operation Centre (EOC) at the HP-SDMA/DDMA office, with computers and internet facility.

7. Financial Support :

HP-SDMA/DDMA will provide an honorarium of Rs. 5000/- per month to the interns.

The intern will be expected to cover housing and living expenses in base locations. Travel, logistics, boarding and lodging expenses during field visits will be borne by HPSDMA/DDMA whenever required as per state government rules.

8. Opportunities for Interns :

The interns will be assigned specific tasks for completion by the HP-SDMA/DDMA; and they will be expected to regularly update the department about the progress achieved under each

task. HP-SDMA/DDMA may allow the interns to attend seminars/workshops organized during the internship period, subject to availability of space and other logistical considerations.

An intern will be provided with an abbreviated orientation program that will highlight key aspects of the position the intern will be engaged in as well as all organizational policies with which he/she will be expected to conform during the specific term of internship.

Each intern will be provided with an in-depth review of department functions and activities and the interaction of these activities with the work the intern will be performing. The department review will be conducted by the department manager and technical experts during the first week of employment.

9. Completion of Internship :

Interns are expected to furnish a detailed, well formatted report at the end of their internship. Additionally, interns can submit a brief report on their internship experiences, where they can offer suggestions for improvement.

10. Right to Use the Report :

The HP-SDMA/DDMA has full rights to use the reports developed by interns. HP-SDMA/DDMA will have the exclusive intellectual property rights over the reports developed by interns, documenting specific events/workshops and all other tasks assigned by HP-SDMA/DDMA. The student-intern may use their research reports for academic purpose only, with due acknowledgement to the HP-SDMA/DDMA, as the case may be.

11. Certificate of Internship :

A certificate will be issued to interns who successfully complete the tasks assigned to them and submit their reports within the stipulated time frame to the respective supervisor.

REVENUE (DISASTER MANAGEMENT) DEPARTMENT

NOTIFICATION

Dated, the 19th August, 2019

No. Rev. (DMC)(F)1-2/2019.—The Governor, Himachal Pradesh is pleased to notify scheme/guidelines on "School Safety Project" as per the Annexure enclosed to be implemented in collaboration with the Education Department, Himachal Pradesh spelling out the role of Stakeholders on the recommendations of State Executive Committee constituted as per the provisions of Disaster Management Act, 2005 to reduce disaster risk in Schools, with immediate effect.

All concerned stakeholder departments/agencies will implement the scheme in their respective departments in letter and spirit and send action plan and requirement of funds to the Revenue (DM) department immediately.

By order,

ONKAR CHAND SHARMA,
Principal Secretary (Rev. D.M.).

**Government of Himachal Pradesh
State Disaster Management Authority**

**School Safety Project (SSP)
“Safe Schools in Emergencies and
Disasters”**

Implementation Guidelines

Disaster Management Cell, Department of Revenue H.P. Secretariat, Shimla

Tel No. + 91 177 2880331, 2880320, Toll Free No. 1070

Website: www.hpsdma.nic.in

Email: sdma-hp@nic.in

Twitter: #hpsdma, Facebook: @hpsdma

**School Safety Project
Implementation Guidelines**

Safe Schools in Emergencies and Disasters

1. Background :

Himachal Pradesh is prone to 25 of the 33 total hazards identified in the country by the High-Powered Committee constituted by the Government of India in 2001. The State is mainly vulnerable to hazards such as, earthquakes, landslides, cloudbursts, flashfloods, fires, road accidents. According to the seismic zonation map of the country, wherein the country has been categorized in zone II to Zone V and where zone II is least seismically active area and zone V is seismically highly active area, the State falls in Zone IV and V. The State has been shaken by many earthquakes in the past and 1905 Kangra earthquake was strongest ever recorded earthquake in the history of State. This earthquake led to the death of around 20,000 people and more than one lakh houses were collapsed. Since then the State has been shaken by more than 279 times by earthquakes of magnitude 3 and above in the Richter Scale. The 1975 Kinnaur earthquake was another big jolt which the State experienced. As per the many research outcomes, strong earthquake in this part of the Himalayas in the near future cannot be ruled out and not major earthquake has shaken this place for long.

Besides the earthquakes, the State has experienced severe flash floods and consequent damage in the year 2000, 2005 and 2013 in the Kinnaur district. Majority of the area of the State is prone to landslides of varying degree. In the recent monsoon season, more than 500 landslides were experienced along the State roads alone and around 32 events of cloudburst were reported.

Prior to 2005, response to disasters was mainly relief centric. There was no proactive management of disasters. With the enactment of Disaster Management Act in 2005, emphasis has been shifted from relief-centric approach to the proactive and holistic management of disaster encompassing all phases *i.e.* pre, during and post disaster phases. The emphasis has now been shifted on prevention, mitigation, reduction, response, relief, rehabilitation and recovery. After the enactment of Disaster Management Act in 2005, the Himachal Pradesh Government notified State Disaster Management Authority (SDMA), State Executive Committee and District Disaster Management Authorities (DDMA) on 1-6-2007. The SDMA is headed by the Chief Minister. The State Executive Committee (SEC) has been constituted under the Chairpersonship of Chief Secretary and DDMA's have been constituted under the chairpersonship of the Deputy Commissioner of the respective district.

In developing countries like India, schools are often located in vulnerable areas and unprepared to respond to emergencies. There have been several instances of children losing their lives or suffering serious injuries due to various disasters. In 2010 Haiti earthquake, half of the schools in the country were destroyed. The Sichuan Earthquake in 2008 caused collapse of over 7,000 school buildings. The 2005 Kashmir earthquake resulted in collapse of over 8000 schools on both sides of the border; altogether over 18000 children lost their lives while at school.

In recent years, schools in India have witnessed many catastrophic incidents: a fire led to the deaths of over 400 people-about half of them students and a total of 31 teachers died-at a school's prize giving ceremony in Dabwali Haryana in 1995; In 2001 a total of 31 teachers died and 95 were injured; 971 students perished and 1,051 were injured in the Bhuj Earthquake over 11,600 schools were destroyed/ damaged in Gujarat. Formal education was disrupted due to widespread damage to physical infrastructure. Tamil Nadu caused death of 94 children and thousands of students and teachers were impacted in South India in the aftermath of the 2004 Tsunami; and 15 children and 3 teachers died in a boat accident during a school picnic at Kerala in 2007.

Cause for such state of affairs has largely been poor quality of construction, lack of disaster resilient features and poor maintenance of schools. The fact remains that schools are indeed spaces where children and teachers spend a large part of their day. Therefore, the quality of these spaces has a bearing on their vulnerability to disaster risk. Besides, the children are young and more vulnerable to disasters. It is also a fact that the occupancy density of school buildings is one of the highest and if the school structure is weak or school is unprepared for disasters, the number of victims is likely to be large.

Besides, the schools are critical infrastructure entrusted with the responsibility of creating citizens of tomorrow. A safe and secure environment is a prerequisite for effective teaching and learning. Thus, ensuring safety of children, teachers and staff members during disasters is necessary. In the light of recent tragedies involving school children, like the Kumbakonam fire tragedy, Dabwali fire incident and earthquakes around the world where school children were affected due to unsafe school buildings, it becomes of utmost importance that safety of children is given due consideration, thus making schools safe also serves the purpose of their dual use as evacuation and relief centers during emergencies.

Building safe schools should be a priority for architects, engineers, policy makers, school administrators and emergency response planners. Among all public facilities, children in schools are the most vulnerable during disasters. A large number of schools operate in congested urban centers and are exposed to various hazards. School safety includes within its ambit structural safety of the buildings per se and non-structural measures like awareness generation, ensuring communication, school preparedness plans, capacity building of students and teachers, rehearsals and mock drills, fixing falling hazards, *etc.* Building safe schools will not only ensure safety of children in disasters but will also promote faster rehabilitation post disaster. Besides, the school safety programme will lead to developing a "culture of safety" in the State.

2. Efforts on School Safety :

The Govt. of India-UNDP Disaster Risk Management Programme (DRM) launched in 2002 was one of the largest community-based disaster risk management Programmes in Asia. In order to generate awareness among students and teachers on how to respond to disasters, a component on School Safety was developed under the DRM Programme. The prime objective of this initiative was "school safety through education and building safer schools". It brought together children, teachers and school managers through participatory activities that concern children's safety during

disasters. Under this component, School level disaster management plans were developed and capacity enhancement Programmes including mock drills were conducted for School Community. Extensive disaster management trainings were conducted for teachers, school managers and education department officials from Central and State Boards of Secondary Education. In total, 125,817 teachers were trained on Disaster Management at the district level in the country. The Programme reached out to 4105 schools with 1,30,000 enrolled children.

Government of Himachal Pradesh, as part of the State Education Code 2013, has issued instructions to all schools in the state for preparation of their own disaster management plan, which captures school specific hazards, vulnerabilities, resources and plan for mitigation. Detailed guidelines have also been issued for conducting mock drills, development of School Safety Plans and School Fire Safety DM Plan. The state has also developed a range of audio-visual materials for raising awareness on safety issues among children. All of these activities have been carried out as part of the GoI-UNDP DRR programme 2009—2012. As part of another initiative retrofitting of few schools has also been carried out in the State.

Education, public awareness and proper training for enhancing the capacity is the cornerstone of approaches aimed at reducing vulnerabilities to natural hazards. The Hyogo Framework for Action 2005—2015: Building the Resilience of Nations and Communities to Disasters adopted at the World Conference on Disaster Reduction, highlights knowledge and education as one of the five main priorities of action. Attention should be accorded and support given to efforts targeting school children and youth with the aim of making people more aware of the threat of hazards and of the need and possibility to become better prepared before disasters strike.

Towards this end, Government of India implemented a National School Safety Programme—a Demonstration Project by National Disaster Management Authority (NDMA) in partnership with Ministry of Human Resource Development (MHRD), State/UT Governments, National and International Agencies in 43 districts of 22 States/UTs of the country falling in seismic zone IV & V. This was a new proposal and a holistic project to promote culture of Safety in Schools by initiating policy level change, capacity building of officials, teachers, students and other stakeholders undertaking Information, Education and Communication activities, promoting non-structural mitigation measures and demonstrative structural retrofitting in few Schools. The project duration was two years *i.e.* 2011-2013. In Himachal Pradesh the project was implemented in 200 schools each in Kangra and Kullu districts. At the district level this programme was steered by the DIETs of the respective districts. The H.P. State Disaster Management steered the project from the State.

Himachal Pradesh State Disaster Management Authority with SCERT and GCTE has been implementing the school safety project since 2012. Under this project advocacy of Deputy Directors, Project Directors, Capacity Building of DIETs Faculty, Trainings of School Headmasters, Principals and Lecturers/PGTs, Teacher Training Programmes, Students Competitive activities at district and State Level is being carried out, and Non-Structural Risk Mitigation (NRSRM) in 200 Government Senior Secondary Schools have also been planned. These activities are being organised with the help of District Institute of Education and Trainings (DIETs) and Government College of Teachers' Education (GCTE) Dharamshala at District and Regional level like other In-service teacher training Programmes in the State. However, there is need to have a formal programme with clear cut activities, roles of different stakeholders, norms and monitoring and evaluation framework.

The school safety agenda has thus evolved over the years. What initially was a simple provision of (child friendly) classrooms to protect children from the elements so that their

education progresses uninterrupted expanded to look at structural safety, non-structural mitigation as well as capacity building of the larger school community for promoting safety.

3. Need of State School Safety Project :

‘School Safety’ has been defined as the creation of safe environments for children starting from their homes to their schools and back. This includes safety from large scale natural hazards of geological/climatic origin, human-made risks, pandemics, violence as well as more frequent and smaller-scale fires, transportation and other related emergencies and environmental threats that can adversely affect the lives of children. The concept has evolved over the last couple of decades as the threat to the physical well-being of children has become more visible both globally and in the country.

National Disaster Management Authority, Government of India has formulated the National School Safety Policy Guidelines 2016 for a vision of India where all children and their teachers and other stakeholders in the school community are safe from any kind of risks due to natural hazards. The Guidelines focus upon the urgent need to strengthen risk resilience of schools in rural as well as urban areas of the country. It is hoped that the Policy document will be useful to ensure that all school children across the country remain safe from any kind of disaster risk as they access their right to education. Key highlights of the Policy guidelines are as under:—

- (a) Addresses the vertical of school safety in a more inclusive and holistic manner in the national policy sphere.
- (b) Capacity building of children, teachers, school personnel, state and district education machinery on school safety and disaster preparedness.
- (c) Anchoring/implementing child centered community-based disaster risk reduction in the local context.
- (d) Mainstreaming risk and safety education in the school curriculum
- (e) Linking school safety in the existing government schemes and policies
- (f) Strengthening coordination amongst institutional structures at the district, state and national levels to promote effective child rights governance in disaster situations.

The Hon’ble Supreme Court *vide* its order dated 14th August, 2017 directed that the implementation of the School Safety Policy issued by NDMA has to be implemented in letter and spirit by all concerned authorities & state governments.

The institutional and regulatory framework as laid down in the various National Acts provides for realizing the Right to Education as well as Disaster Management in the country. For ensuring that students and their teachers remain safe in pursuit of education, it is necessary that the two institutional frameworks act in convergence with each other, through the phases of preparedness, response and recovery. The Right to Education Act (RTE) guarantees free and compulsory education to all the children in the country till the age of 14 based on minimum norms and standards that are mandatory for any school in the country to be “established or recognized”. It recognizes the need for “all weather buildings” and limitations posed by difficulty of terrain, risk of landslides, floods, lack of roads and in general, danger for young children in approach etc. The RTE Act thus serves as a strong base for promoting school safety. The framework for implementation of RTE-SSA has a strong focus on Disaster Management.

The National Disaster Management Act, 2005 mandates the State Disaster Management Authorities (SDMA) to provide guidelines for different departments to integrate disaster prevention and mitigation measures in their development plans and provide necessary technical assistance thereof. The SDMA needs to work closely with the State Education Department to support the school safety efforts at the state level. There is need to have a formal programme with clear cut activities, roles of different stakeholders, norms and monitoring and evaluation framework which helps the State in reducing disaster risk in school, prepare the next generation to face challenges thrown by various hazards and implementing the framework of National School Safety Policy, 2016.

4. Vision of the Scheme :

To promote a culture of disaster preparedness in the school.

5. Objectives of the Scheme :

To prepare Education department and schools for emergencies and to ensure that the schools are prepared and resilient to face disasters, remain functional in post disaster scenario and act as places for shelter and relief.

- (a) To initiate policy level changes for ensuring safe school environment
- (b) To sensitize children and the school community on disaster preparedness and safety measures.
- (c) To motivate direct participation of key stakeholders in activities that would help building towards a disaster resilient community.
- (d) To promote capacity building of officials, teachers and students
- (e) To prepare the Disaster Management Plans of all the schools in the State
- (f) To carry out Information, Education and Communication (IEC) activities in schools and associated environment.
- (g) To implement non-structural mitigation measures in all schools
- (h) To carry out RVS of all schools and structural audit of the select schools
- (i) To institutionalise school safety in the Education Department
- (j) To build a resilient society and develop “a culture of safety” in the State.

6. Coverage of the Scheme :

All the 12 districts of Himachal Pradesh covering all the Government and privately managed schools.

7. Implementation Partners :

The Department of Education through:—

- (i) *SCERT*—State Nodal Agency & implementing agency for 6 districts namely, Solan, Shimla, Kinnaur, Sirmaur, Bilaspur and Una.

- (ii) *GCTE Dharamshala*—implementing agency for 6 districts of the State namely, Kangra, Chamba, Hamirpur, Mandi, Kullu and Lahaul & Spiti.
- (iii) *DIETs*—Respective Districts
- (iv) State Institute of Management, Administration & Training (SIEMAT) – SSA & RMSA.
- (v) Block Resource Centres (BRCC)

8. Knowledge Partners :

- (i) National Disaster Management Authority
- (ii) National Institute of Disaster Management
- (iii) United Nations Development Programme

9. Components of Scheme on School Safety :

Component I Advocacy, Training and Capacity Building

Component II Information, Education and Communication activities

Component III Preparation of the School DM plans

Component IV Non-structural Measures

Component V RVS of all schools & Structural Safety Audit of the Selected Schools

Component VI Project Management and Implementation Support.

10. Deliverables of the Scheme :

- (i) Implementation of the directions contained in the School Safety Policy guidelines 2016 issued by the NDMA, GOI.
- (ii) Building capacity of educational training institutes such as SCERT, GCTE, DIETs, SIEMAT, BRCCs, *etc.* to carry out the agenda of school safety forward.
- (iii) Orientation and Training & Capacity building of school administrative officials such as Deputy Directors, BPEOs, Principals, Headmasters, CHTs, Teachers and other staff.
- (iv) Preparation of school disaster management plans conduct IEC activities and mock drills in schools on regular basis.
- (v) Training & Capacity building of engineering staff of Education Department/SSA/RMSA to make and build safe schools.
- (vi) Training and capacity building of the engineers of the Public Works Department for safe construction practices.

- (vii) Rapid Visual Screening, Structural Audit & Non-Structural-Mitigation of the Schools
- (viii) Preparing a monitoring mechanism by development of the online database of the Trained teachers/staff.
- (ix) Development of the School Safety Mobile Application which will help in developing school DMPs uniformly in a timely manner and monitoring of preparation of plans, conduct of mock drills and conduct of IEC activities in schools.
- (x) Development of SCERT, GCTE, DIETs, SIEMAT and BRCCs, as model for school safety.
- (xi) Conduct of Bi-annual Mock Drills in schools
- (xii) Imparting life-saving skills to teachers and students such as use of fire extinguishers, Dos and Don'ts of various hazards, basics of medical first aid and search and rescue.
- (xiii) Integration of Disaster risk reduction in Education Sector
- (xiv) Preparation of information management system about trainings, official being trained, preparation of school DMPs, information about conduct of mock drills and IEC activities in the Schools.
- (xv) Guidelines for safe schools
- (xvi) Integration of training modules on school safety in all the teachers training programmes at the entry level—JBT, D. Ed, B.ED. *etc.*

11. Advocacy, Training and Capacity Building :

(a) Advocacy :

The School safety programmes aims at sensitizations of the stakeholders and change their attitude towards the business as usual. The schools are places of learning and these places should be safe and secure from natural as well as man-made hazards. The learning gained (Dos and Don'ts) should also be transmitted through the young learner so that he can apply this during real life situations and protect his life, life of his family and people around him. Knowledge promotes safety and ignorance breeds vulnerability. Educating young children can be the best way to reduce vulnerability *vis-a-vis* various hazards. There is also needed to teach them life-saving skills such as use of fire extinguishers, medical first aid, basics of search and rescue. There is also needed to ensure that sitting parameters for schools are defined, norms of safe construction are laid down and followed. There is need to advocate the cause of school safety with educational administrators, school heads, and other stakeholders.

(b) Training and Capacity Building :

The Educational Administrators, School heads, Teachers, non-teaching staff, *etc.* need to be trained in various aspects of school safety *viz.* understanding the issues of safe school, awareness about hazards, preparation of disaster management plans, skill building on use of fire equipment, conduct of mock drills, basics of search and rescue, issues related to children from home to school and back, issues in residential schools, *etc.*

Schedule of one day advocacy and four days teachers training is at **Annexure I and II** respectively. Initial effort will be to cover 100 percent education leaders and school heads and at least two teachers to be nominated by the school's heads from all the schools up to middle school level. At primary level all the CHTs and atleast one primary teacher per school will be targeted. Later on, depending upon the funds available, more teacher per school may be targeted.

Engineering staff both of Education and Public Works Department need to educate about constructing schools as per the provisions of National Building Codes, structural and non-structural mitigation measures and strengthening/retrofitting of vulnerable school buildings and infrastructure.

(c) Training Modules and IEC Material :

The training modules and IEC material will be standardized by the SCERT in consultation with DMC, Department of Revenue, GCTE and DIETS. The training modules, reference material, and IEC material will be centrally printed by the DMC, Department of Revenue and provided to the institution concerned on demand basis.

The reference material already developed by the DMC, Department of Revenue, SCERT, material developed under the National School Safety Programme will be utilized to conduct this programme. Additional material, if required, may also be got developed utilizing the services of experts.

12. IEC Activities :

The school community (including teachers and administrative staffs) would be sensitized on issues of disaster preparedness and safety measures. The key stakeholders and the larger community members would be motivated to participate in disaster risk reduction activities and to enhance disaster resilience. Various awareness and knowledge sharing programmes will be carried out across the State to educate the school children, teachers and government officials about basic preparedness measures to be adopted to reduce the risk posed by natural and human induced hazards. Key activities under IEC would be:—

- (i) Development of IEC materials and other learning aids (Booklets) for school children and school authorities in local language.
- (ii) Development of IEC Material-Audio Visual
- (iii) Translation, printing, dissemination of IEC Material developed during National School Safety project.
- (iv) Sensitization Programmes at State level and District Level
- (v) Preparation of District level implementation plan (indicating both time and resource requirement) for awareness creation.
- (vi) Selection of other stakeholders who can partner with Administration in creating awareness amongst children. Local NGOs and CBOs can get actively involved in this initiative and can join hands with district administration to carry it forward.
- (vii) Conducting sensitization programmes, awareness programmes across the district for the District Education Officers, Block Education Officers, senior teachers, NDRF/

SDRF, civil defence volunteers, NSS and NYKS volunteers and other stakeholders who will be further involved in creating awareness among general public.

- (viii) Organizing activities like essay writing, painting competitions, quiz, & competitions for judging best disaster management plans at different level, *etc.*

13. School Disaster Management Plans :

(a) Preparation of School DMPs :

The School Disaster Management Plans (SDMPs) will be prepared and implemented by the concerned school heads and responsibility for preparation of SDMPs would be as under:

- (1) The Director, Higher Education and the Director, Elementary Education will be overall supervising authorities for preparation and implementation of the disaster management plans for all High, Senior Secondary Schools and Middle and Primary Schools respectively.
- (2) All the Deputy Directors, Higher Education will be responsible for preparation and implementation of disaster management plans for all Senior Secondary & High schools of their respective concerned district. Similarly, all the Deputy Director, Elementary Education will be responsible for preparation and implementation of disaster management plans all Middle and Primary Schools of the concerned district.
- (3) The BPEO will be responsible for preparation and implementation of disaster management plans all Primary Schools of the respective block.
- (4) All the BRCCs will coordinate and compile information about preparation of plans all schools in their respective areas of jurisdiction and supply information regularly to the Principal DIETs.
- (5) All Cluster Heads will be responsible for preparation and implementation of disaster management plans all school in their clusters.
- (6) All Principals will be responsible for preparation and implementation of disaster management plans their respective schools/complex.
- (7) All the Central Head Teachers will be responsible for preparation and implementation of disaster management plans all Primary schools in the respective clusters.
- (8) The HT/JBT in charge of the Primary School will be responsible for preparation and implementation of disaster management plan for his/her Primary School.

A model template for preparation of School DMP is at **Annexure—III**.

Approval of the School Disaster Management Plans :

The SDMP will be scrutinized and approved by a committee consisting of the following:—

- (a) For GSSSs, GHS and GMS :

- (i) Principal of the respective DIET

.. *Chairman*

-
- | | | |
|---|----|-------------------------|
| (ii) Lecture Coordinator of the School Safety Programme | .. | <i>Member-Secretary</i> |
| (iii) BRCC—Upper Primary | .. | <i>Member</i> |
| (iv) AE/JE SSA—to be nominated by the Principal DIET | | |
- (b) For GMS and GPS :
- | | | |
|---|----|-------------------------|
| (i) BPEO of the concerned Block | .. | <i>Chairman</i> |
| (ii) BRCC—Primary | .. | <i>Member-Secretary</i> |
| (iii) CHT of the Block HQ | .. | <i>Member</i> |
| (iv) JE SSA of the Block to be nominated by the BPEO concerned. | .. | <i>Member</i> |

(b) Holding Competition for Best Disaster Management Plan :

In order to promote competition and ensure that school disaster management plans are prepared well, the SCERT and GCTE will hold annual School DMP competitions for their respective areas. In order to evaluate the plans objectively, these institutions will develop an objective criterion for evaluation.

There will be four prizes for each category *i.e.* GSSS, GHS, GMS, GPS for each SCERT and GCTE districts. The private schools may also be encouraged to participate in these competitions.

14. Non-structural measures :

The rapid visual survey of all schools in each of the districts will be done by trained technical persons. Based on the assessment report, non-structural mitigation measures will be taken up in schools. A format to carry out non-structural mitigation is at **Annexure-IV**. The activities under non-structural measures are suggested as under:—

- (i) To assess the existing non-structural risks in the school buildings based on standard checklist.
- (ii) Implementation of various non-structural disaster risk mitigation measures in the selected schools not yet covered under any scheme such as:
 - (a) Fixing of falling hazards in libraries, offices, classrooms and science laboratories
 - (b) Fixing of almirahs, electric equipment, gas pipelines
 - (c) Fixing of water tanks, railings, *etc.*
 - (d) Fixing any other falling hazard which dangers to the school children may be
- (iii) Sensitization programme for the students, teachers and associated community on the importance of non-structural mitigation.

15. Structural Mitigation Measures :

- (a) Training of all SSA/RMSA engineers from each district who to carry out assessment of the safety of the existing structures.
- (b) Carrying out of rapid visual screening of all school buildings in each of the districts
- (c) Identification of schools which require urgent repair or retrofitting or reconstruction.
- (d) Carrying out repair or retrofitting of vulnerable schools' subject to availability of funds with the Education Department. Effort will also be made to generate funds from other sources.
- (e) For declaring building unsafe procedure may be adopted in simple and time line may be as follows:—
 - (i) Resolution for declaring building unsafe passed by SMC and the same be given to SDM within one week.
 - (ii) The Joint Inspection by the committee and further declaring building unsafe within 30 days from the receipt of resolution in SDM office.
 - (iii) Book Value Assessment within 30 days of the Joint Inspection by the Committee
 - (iv) Orders of dismantling will be implemented within 60 days from the date of declaring building unsafe by the competent authority.

16. Implementing Agency/Department :

1. HPSDMA, DM Cell, Department of Revenue—Co-ordination, funds for orientation, training & capacity building, RVS and Monitoring & Evaluation.
2. The Education department will implement the program through Director Higher Education & Director Elementary Education and training institutes of the department.
3. Orientation and training & capacity building of Education Administration (Deputy Directors & BPEOs), School Heads, CHTs and Teachers.
4. Orientation and Training & Capacity building of school administrators, Principals, PGTs will be done by SCERT and GCTE in 6 districts each.
5. DIETs will target TGTs & CHTs and BRCCs will target JBTs for training and capacity building.
6. SCERT, GCTE and Department of Education will own up School Safety Programme.
7. Department of Education/SSA will provide funds for Rapid Visual Screening, Safety audit *etc.* of the schools.
8. Department of Education, SCERT Solan and GCTE Dharamshala will collaborate with Disaster Management Cell to conduct School Safety programme and perform its various components.

17. Funding of the Programme :

- (a) The DMC may provide the funds under the State Disaster Response Funds—Capacity Building Grant under 14th FC funds or other funds available with DMC under any other head or project.
- (b) The department of Education will also explore the funding opportunities from the SSA/RMSA or other funds available with the department.
- (c) Funds may also be obtained from other source such as Govt. of India Scheme(s), Corporate Social Responsibility, other donor agencies, *etc.*

18. Norms of Expenditure :

- (a) Schools will be given grant @ Rs. 10,000/-, 7500/-, 5000/ and 2000/- respectively for GSSS, GHS, GMS and GPS for non-structural risk mitigation measures if the schools don't have funds for this purpose. The expenditure to this account will be done by the private schools own their own.
- (b) Prizes for best school disaster management plan competitions will be @ Rs. 10,000, 7500 and 5000 for first, second and third prizes respectively.
- (c) The TA/DA for participants of orientation, trainings, *etc.* will be borne by the Education Department.
- (d) Arrangement of free board and lodging of participants and faculty/resource person will be done by the implementing institute. The trainings will be conducted at Rs. 120/- per participant per day (Lunch and Tea) at the maximum.
- (e) The training to be conducted at the BRCC level will be non-residential. Only lunch and tea will be served for them.
- (f) The Honorarium to the resource persons will be provided at SCERT/GCTE rates @ Rs. 600/- for a session of 70 minutes.
- (g) The SCERT, GCTE, DIETs and BRCCs will be provided administrative funds for items such as computers, printers and peripherals, projectors, screens, stationary charges, contingency charges as per need and requirement to be proposed by the concerned implementing agency and assessed by the DMC, Department of Revenue in order to take this programme forward.

19. Coverage and Time Schedule :

- (1) All the Senior Secondary Schools would be covered in the first phase and aim is to do so by December 2020.
- (2) In the second phase all the Middle Schools and Primary Schools shall be covered and the aim is to complete this activity by March 2021.
- (3) Rapid Visual Screening (RVS) of all the Schools will be completed in the first two year of implementation itself.
- (4) Detailed structural audit may be carried out on case to case basis.

20. Monitoring Mechanism :

- (i) The Programme will be monitored on atleast half yearly basis by the following:—
- (a) **State Level.**—State Level School Advisory Committee on School Safety notified *vide* notification No. Rev.(DMC)(F)11-14/2016-SSP, dated 22nd June, 2018.
- (b) **District Level.**—District Level Advisory Committees on School Safety notified by the respective Deputy Commissioner/Chairman-DDMA in the year 2018.
- (ii) Expert agencies/organisations working in the field of School Safety may also be hired to carry out third party evaluation of the School Safety Programme.

ANNEXURE-I

One Day Programme Schedule**School Safety Advocacy of School Administrators/Headmasters/Principals**

Time	Agend	Resource Person
10.00—10.15 A.M.	Registration & Introduction	Course Coordinator
10.15—10.25 A.M.	Objectives and Expectations	
10.25—11.30 A.M.	Basic concepts of Disaster Management	
11.30—11.45 A.M.	Tea Break	
11.45—12.10 P.M.	Need and Concerns of School Safety	
12.10—1.20 P.M.	Structural and Non-Structural Mitigation Measures.	
1.20—2.00 P.M.	Lunch Break	
2.00—3.10 P.M.	Tips for preparation of School DM Plan	
3.10—3.25 P.M.	Tea Break	
3.25—4.35 P.M.	Screening of Documentary-Captain Suraksha and Awareness generation activities in Schools	
4.35—5.00 P.M.	Payment of TA/DA and Valedictory	

ANNEXURE-II

4 Days—In Service Teacher Training on School Safety

Day	Time	Agenda	Resource Person
Day 1	10.00—10.30 A.M.	Registration, Inauguration & Objectives and Expectations.	
	10.30—11.30 A.M.	Pre-training test, need and concerns of school safety.	
	11.30—11.45 A.M.	Tea Break	
	11.45—1.15 P.M.	Basic concepts of Disaster Management	
	1.15—2.00 P.M.	Lunch Break	
	2.00—3.30 P.M.	Geologic hazard profile of the State	
	3.30—3.45 P.M.	Tea Break	
	3.45—5.00 P.M.	Climatic hazard profile of the State	
	10.00—10.30 A.M.	Reporting	

Day 2	10.30—11.30 A.M.	Earthquake Preparedness-Nature fury documentary.	
	11.30—11.45 A.M.	Tea Break	
	11.45—1.15 P.M.	Structural and non-structural mitigation measures.	
	1.15—2.00 P.M.	Lunch Break	
	2.00—3.30 P.M.	Training and Practice on life saving skills	
	3.30—3.45 P.M.	Tea Break	
	3.45—4.15 P.M.	Documentary on life saving skills	
	4.35—5.00 P.M.	Institutional setup for DM in India	
Day 3	10.00—10.30 A.M.	Reporting	
	10.30—11.00	CPR-Practice Session	
	11.00—11.30 A.M.	Operating Fire Extinguishers	
	11.30—11.45 A.M.	Tea Break	
	11.45—12.15 P.M.	Operating Fire Extinguishers	
	12.15—1.15 P.M.	Search and rescue methods	
	1.15—2.00 P.M.	Lunch Break	
	2.00—3.30 P.M.	Tips for Preparing School Safety plans	
	3.30—3.45 P.M.	Tea Break	
	3.45—5.00 P.M.	Preparing School Safety plans	
Day 4	10.00—10.30 A.M.	Existing institution environment and concerns	
	10.30—11.30	Psycho-Socio care of school children during emergencies.	
	11.30—11.45 A.M.	Tea break	
	12.15—1.15 P.M.	Conduct of mock drills in surrounding schools or among the participants.	
	1.15—2.00 P.M.	Lunch Break	
	2.00—3.00 P.M.	Role of education department in effective disaster management, cross cutting issues and departmental DMP.	
	3.00—3.30 P.M.	Post-training testing and feedback	
	3.30—3.45 P.M.	Tea break	
	3.45—5.00 P.M.	Valedictory sessions	

ANNEXURE-III

Checklist for Non-Structural Elements in Schools under School Safety Programme

Sl. No.	Potential Hazard	Check if item is present	Does item need to be moved Anchored?		Total Items
	Architectural/Outside :	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
1.	Stone Wall Cladding	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
2.	Spalling of Cracked Cement Plaster	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
3.	Broken Sun Shade	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	Furniture & Equipment :	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

4.	Bookshelves	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
5.	Storage Cabinet	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
6.	Display cupboard/Almirah	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
7.	Filling cabinets	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
8.	Laboratory Equipment	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
9.	Computer Equipment	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
10.	Black/Green Boards	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
11.	Ceiling Fan	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
12.	Fire Extinguisher	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
13.	Storage cabinets	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
14.	Sound equipment	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
15.	Kitchen Equipment	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
16.	Computer/Printer/Photocopy/Machine	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
17.	Moveable Wooden Partition	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
18.	Standing wooden Sinage	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	Ceiling and Overhead:				
19.	Light fixture	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
20.	Coolers	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
21.	Water Tank	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
22.	Flower Pots	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	Wall Mounted Items:				
23.	Shelves	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
24.	Picture Frame	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
25.	Wall-Mounted cabinets	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
26.	Wall- Mounted gadgets	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
27.	Equipment, LCD TV	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
28.	Air Conditioner	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

29.	Acqua Guard Wall Mounted	<input type="text"/>	<input type="text"/>	<input type="text"/>	
	Other :				
30.	Aquarium	<input type="text"/>	<input type="text"/>	<input type="text"/>	

ANNEXURE-IV

School DM Plan Model Template**Section-1: Introduction:**

- (a) School profile (attached format in Annexure-I)
- (b) Aim Objective of the plan
- (c) Geographical location of the school

Guidance Note:

- This section of the plan will provide information relating to the school as per details given in Annexure-I it should also mention the objective of the plan, the stakeholder who will be using the plan and member who would be responsible for the implementing, reviewing and updating the plan.
- This section can also include a map of the school.

Section-2: Hazard Risk and Vulnerability Assessment :

- (a) Non-structural assessment (can be done practically by all teachers and students in a group exercise).
- (b) Structural assessment (to be done by a Civil Engineer, Licensed Building Surveyor)
- (c) Identification of hazards outside the school campus (Road Safety, Industrial Hazard, Chemical hazard, open drain flooding *etc.*).
- (d) Database of past disaster/accidents which has affected the schools
- (e) Identification of vulnerable location within the school campus
- (f) Summary of the key finding and identification of the action for mitigation

Guidance Note:

This section of the plan will focus on identifying the various vulnerable areas within the school building as well as the probable risks arising out of structural elements.

For identifying non-structural and structural weakness in the school building a committee may be constituted comprising members of school Administration (including Physical Education Teacher), officer from nearest fire station/Civil defence post warden, Health Services Provider

(doctor/nurse/health worker) from nearest police station, engineers from PWD, SSA, Municipal Corporation/Zilla Parishad who may help in identifying the structural and non- structural weakness in the building. Likewise, this committee can also identify hazards outside the school campus particularly the hazards to road/traffic outside the school building, industrial (Chemical Hazards) which may be due to location of such an industry in vicinity of the school.

This *Hazard hunt* activity will help in identifying some of the obvious risks like improper location of electricity panel in the school, open electricity panels, live wire if any, improper placing of cupboards and furniture, obstruction in the escape route or object that can fall during the Earthquake such as glass panel, flowerpot *etc.*

Section-3 : Preparedness :

This section of the plan should include the following:—

- (a) **Constitution of school DM Committee Composition of the Core Team and its roles and responsibilities during different phases.**
- (b) **Constitution of sub-team and** identification of roles and responsibilities of each of the sub-teams/task force, before, during and after disaster. The school may comprise of the following teams/task forces.
 - I. Awareness Generation, Warning and information dissemination team
 - II. Evacuation team
 - III. Search and rescue team (only teachers to be member of this team)
 - IV. Fire safety team
 - V. First aid team
 - VI. Bus safety team (for each bus)-wherever applicable
 - VII. Site security team

Guidance Note:

This section of the plan will focus on Preparedness. Higher Level of preparedness for disaster helps to minimize the loss of life and injuries caused particularly during earthquake for which there is no warning. However certain other hazards like flood, *etc.* do have early warning system thereby giving some time for taking response. Children being the future of tomorrow should be ensured a safe learning environment and prepared well to respond effectively during disaster. To put this into practice it is recommended that every school constitute a School Level Disaster Management Committee alongwith sub-committees to ensure better preparedness and response in disasters. The various committees constituted in a school will comprise of members from among teachers, non-teaching staffs as well students. However, for certain committee like search and rescue students are not recommended. The recommended structure for a School Disaster Management Committee is as follows:—

1. Chairperson: Principal
2. Vice Principal, Head of primary and middle sections
3. Education Officer/Deputy Education Officer for the zone
4. Parent Teacher Association President
5. 4 Students (NCC, NSS, Scouts and Guides, Head Boy and Head Girl)
6. Representative of Relief/Revenue/Disaster Management Department/District Administration/Municipal Corporation.

7. Representative of the Fire Services (from Closest Fire Station) or Civil Defence personnel.
8. Representative of Police (from Closest Police Station)
9. Representative of Health Department (Local Doctor)
10. Warden from Civil Defence.

The sub-committees mentioned below will work under overall supervision of school DM Committee (SDMC). Following sub-committees can be constituted.

- Awareness generation and warning and information dissemination team
- Evacuation team
- Search and rescue team (only teachers to be member of this team)
- Fire safety team
- First aid team
- Bus safety team (for each bus)
- Site security team

For First Aid and Site Security team the representative of nearest Police Station, Hospital/ health services and fire station may be identified. The roles and responsibilities of these committees during disaster as well as peace time need to be defined clearly.

Section-4: Resource inventory :

- I. Listing of resources available inside the school campus: which could be use during any disaster situation for effective response.
- II. Identification and listing of resources outside the school within vicinity of one-five kilometres.
 - (a) Nearest hospitals Health Centre for emergency treatment
 - (b) Police Station
 - (c) Fire Station
- III. **Updation of important telephone numbers in Principal's room**
- IV. **Critical health problem record** of each child to be maintained by school and also displayed on his I-Card with blood group alongwith **Updated contact details** of parents/Guardian and alternate contact persons.
- V. **Disaster preparedness checklist** (Attached in Annexure-II)

Mechanism for alerting students and teachers during school time including installation of alarm.

School map with evacuation plan in place (Attached in annexure-III) Annual calendar for conducting various preparedness activities alongwith plan to implement it. This will include the list of various awareness generation programmers to be conducted by the school annually.

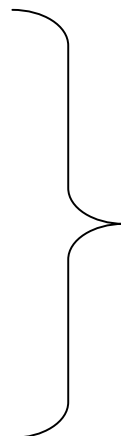
Action plan for conducting Mock drills and development of a checklist to identify the gaps.

Steps for Updation of DM Plan indicating the timeline and the process of doing it along-with the roles of teachers and other non-teaching staffs.

Guiding note for Resource inventory :

As part preparedness exercise, each school develop a School DM kit. It is suggested that a network is establish by the school management with the nearest hospital/health centre/health worker for help in case of emergency. The suggestive list of items which could be procured for school DM kit been listed below. However, it is suggested that each school must have provision for other external resources (grants given by the State Government like MPLADs/MLALADs *etc.*) to strengthen this resource list further.

- (i) Stretcher
- (ii) Ladders
- (iii) Thick rope
- (iv) Provision of School DM kit
- (v) Torch
- (vi) First-aid box
- (vii) Temporary shelter (tents and tarpaulins)
- (viii) Sand buckets
- (ix) Fire Extinguishers



School map with evacuation plan :

It is recommended to prepare a floor wise evacuation plan and display it prominently at the notice board at each of the floor. The evacuation plan may be discussed by the evacuation team with the teachers and students to generate awareness to help conduct mock drill. (A sample Evacuation Map is attached for reference as Annexure-III).

Guiding note for Mock drill :

Mock drills are the way of listing the preparedness plan. It is one of the last steps in preparedness. The mock drill on earthquake, fire *etc.* may conducted at periodic interval preferably once in every six months and the deficiencies may be assessed for updation of the plan. This section of the plan should clearly indicate the steps to be followed to conduct the mock drills and the responsibilities of the teachers, non-teaching staffs and students. It required school should invite the Fire Services Officers and trained Civil Defence volunteers for support. The steps to be followed for earthquake drill mentioned below.

Earthquake drill :

- (i) Practice drop, cover and hold
- (ii) Evacuate classroom in less than 1 minute without pushing and falling
- (iii) Evacuate school in less than 4 minutes using different exit
- (iv) Lookout for friends
- (v) Stay away from weak areas/structures
- (vi) Help those who need assistance (*identification of task force in advance for rescue of special children*).

Fire/Chemical Accident/Drill:

- (i) Evacuation from classroom
- (ii) Ensure safe storage of inflammable liquids/chemicals.
- (iii) Put off electricity and remove or close down gas connections.

Capacity building and training:

Capacity Building and training of students, teachers is an important step to ensure safety of school going community in a disaster situation. Every year appropriate number of teachers and students may be trained in various skills of disaster management.

Action plan for training of teachers, non-teaching staffs and students on DM including all the task force constituted and also organizing refresher course. This can also include documentation of details of trained teachers and students.

Awareness generation and sensitization :

Awareness generation/sensitization is a part of preparedness measures aiming at sensitizing and education all the stakeholders including students, teachers and officials/parents' issues relating to school safety. It is suggested that an annual calendar of events may be prepared including various activities involving students/teachers, *etc.* where experts from outside may also be invited for giving their opinion on school safety issues.

Some of the measures which could be undertaken by the school management for creating awareness are as follows:—

- (a) Through poster, audio-visual clips, organizing debate, quiz, sports activities, drawing competition, rally in schools.
- (b) Display of important information on school notice board including school evacuation plan and weather clipping.
- (c) Conducting seminars and lectures on making the learning environment safer and involvement of Parents in such seminars.
- (d) Observing a month of safety in the year calendar of school as *Preparedness month*.

Section-5: Response:

- (a) Hazards specific response plan including Crowd Management to avoid stampede on special days like annual functions, sport day *etc.*
- (b) Alternate arrangement for continuation of school education. (Delivery of education during and post disaster situation particularly in cases where the school will be used as relief shelters).
- (c) Reporting of Emergencies/Disasters to the Government
- (d) Special provision for especially abled children

Guidance Note:

This section of the plan should be very precise, crisp indicating the various roles and responsibilities of teachers, non-teaching staff and students during disaster situation. The plan should clearly mention the steps to be followed in case of an earthquake, fire, flooding, cyclone or such emergent situation like stampede or health problems faced by any student. The plan should include all the steps to be taken up by the school management to ensure safety of the child including their safe evacuation from the affected site till the child is handed over to the parents. It will also include all other steps to be taken up by the management to ensure supply of essential services in the school like power, water and food and basic first aid during a disaster and immediately after it.

Section-6: Mitigation measures :**a. Listing of various Non-structural measures to be undertaken in the school along with timeline.**

- (i) Ensuring clear passages, stairway which are to be used as evacuation routes
- (ii) Chemistry labs-the bottles used for storing the chemicals are secured and protected against shattering.
- (iii) Fixating of *Almirahs* to the walls of staff room
- (iv) Securing fans and light from ceiling
- (v) Fire safety measures

(b) Safety audit :

- (i) Electric safety audit-checking of the electrical system by an electrician
- (ii) Fire safety audit-checking for possible sources of fire and identifying inflammable items within the school.
- (iii) Inspection of quality of food getting served during mid-day meal
- (iv) Audit of purity of water supply in school
- (v) Inspection of the hygienic conditions in kitchen and washrooms

Guidance Note:

This section of the plan will focus on various mitigation measures to be undertaken by the school. Mitigation Planning is a long-term exercise and hence it is essential to divide the strategy prioritizing the actions alongwith definite timeline. It is also necessary to priorities the actions based on the nature of the threat and its potential to cause injuries and loss of life. Some of the non-structural mitigation measures like anchorage of almirahs, clearance of the exit routes, relocation of the storage of laboratory items, installation of warning alarms could be done immediately by incurring minimal cost, some other mitigation measures like major structural repair work will require more time and fund commitments.

As a part of mitigation action, school should also undertake periodic fire and electrical safety checks by involving officials from Electricity Department/board, Fire Services, PWD *etc.* Other measures like testing of purity of drinking water and hygienic conditions in the school should also be undertaken.

Details of School Profile

1. Name of School and code number provided by Department of Education:
2. Postal address with pin code:
3. Contact number:
4. Number of teachers : Male _____ Female _____
5. Number of Students : Male _____ Female _____
6. Number of differentially able students: Male _____ Female _____
7. Specify the type of disability:
8. Date of Construction of School building:
9. Number of Buildings in the school compound:
10. Number of classrooms:
 - Number of chemistry laboratory:
 - Number of Physics laboratory:
 - Number of Biology Laboratory:
11. Number of floors:
12. Number of staircase:
13. Do you have a kitchen? Yes/No _____

If yes do you have gas stove or open fire kitchen or use cooking gas connection:
14. Do you have toilets separate for : Boys—Yes/No Girls—Yes/No?
15. Number of drinking water points:
16. Playground size and open are:
17. Fire extinguisher installed:
 - If yes number of fire extinguisher:
 - Date when last checked:

18. Number of Sand Buckets installed :

19. Evacuation drill organized : Yes/ No

If yes, last date when drill conducted and number of students who participated:

(Signature of Principal).

EMERGENCY MANAGEMENT PLAN CHECKLIST

NAME OF SCHOOL & LOCATION.....

DATE.....

YES

- | | |
|--|--------------------------|
| 1. Have the emergency numbers been confirmed with the concerned departments. | <input type="checkbox"/> |
| 2. Are the emergency contact numbers prominently displayed in the principal room. | <input type="checkbox"/> |
| 3. Does the plan clearly specify procedures for reporting emergencies to the government services and the relevant education authority. | <input type="checkbox"/> |
| 4. Are the potential risks within and up to a kilometre from the workplace identified? | <input type="checkbox"/> |
| 5. Does the plan clearly mention about the evacuation plan? | <input type="checkbox"/> |
| 6. Are the roles and responsibilities of key personnel's clearly defined-task force team leaders, class teachers, office staff and students. | <input type="checkbox"/> |
| 7. Are the staff responsibilities to amount for and supervise students during and following the emergency clearly described? | <input type="checkbox"/> |
| 8. Does the plan give emphasis on the more vulnerable children below class V? | <input type="checkbox"/> |
| 9. Does the plan address the students with special physical, mental and medical needs? | <input type="checkbox"/> |
| 10. Does the plan describe about how the DM team will be trained? | <input type="checkbox"/> |
| 11. Does plan provide the calendar for mock drill to be conducted? | <input type="checkbox"/> |
| 12. Has the plan been endorsed by local police and fire brigade? | <input type="checkbox"/> |

खाद्य, नागरिक आपूर्ति एवं उपभोक्ता मामले विभाग**अधिसूचना**

शिमला-2, 22 अगस्त, 2019

संख्या एफ.डी.एस.-ए(3)-4/2017.—हिमाचल प्रदेश के राज्यपाल, राष्ट्रीय खाद्य सुरक्षा अधिनियम, 2013 (2013 का अधिनियम संख्यांक 20) की धारा 40 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए निम्नलिखित नियम बनाते हैं, अर्थात्:—

अध्याय-1**प्रारम्भिक**

1. संक्षिप्त नाम और प्रारम्भ.—(1) इस नियमों का संक्षिप्त नाम हिमाचल प्रदेश खाद्य सुरक्षा नियम, 2019 है।

(2) ये नियम राजपत्र (ई-गजट), हिमाचल प्रदेश में उनके प्रकाशन की तारीख से प्रवृत्त होंगे।

2. परिभाषाएं.—(1) इन नियमों में, जब तक कि संदर्भ से अन्यथा अपेक्षित न हो,—

(क) “अधिनियम” से, राष्ट्रीय खाद्य सुरक्षा अधिनियम, 2013 (2013 का केन्द्रीय अधिनियम संख्यांक 20) अभिप्रेत है;

(ख) “अपीलकर्त्ता” से, ऐसा पक्षकार अभिप्रेत है, जो जिला शिकायत निवारण अधिकारी के आदेश के विरुद्ध अपील करता है;

(ग) “सक्षम प्राधिकारी” से, किसी उचित मूल्य की दुकान के स्वामी की दशा में, जिला नियन्त्रक, खाद्य, नागरिक आपूर्ति और उपभोक्ता मामले (विनिर्दिष्ट प्राधिकारी) और सरकारी कर्मचारियों की दशा में सेवा नियमों के अनुसार हिमाचल प्रदेश सरकार के किसी सम्बद्ध विभाग का, यथास्थिति, प्रधान सचिव या सचिव अथवा निदेशक अभिप्रेत है;

(घ) “विभाग” से, खाद्य, नागरिक आपूर्ति और उपभोक्ता मामले विभाग अभिप्रेत है;

(ङ) “जिला शिकायत निवारण अधिकारी” से, धारा 15 की उपधारा(1) के अधीन इस प्रकार नियुक्त या पदाभिहित कोई अधिकारी अभिप्रेत है;

(च) “राज्य खाद्य आयोग” से, अधिनियम की धारा 16 के अधीन राज्य सरकार द्वारा गठित किया जाने वाला आयोग अभिप्रेत है;

(छ) “राज्य सरकार” से, हिमाचल प्रदेश सरकार अभिप्रेत है; और

(ज) “अनुसूची” से, इन नियमों से संलग्न अनुसूची अभिप्रेत है।

(2) इन नियमों में प्रयुक्त और अपरिभाषित शब्दों और पदों के वही अर्थ होंगे जो अधिनियम में उनके हैं।

अध्याय-2

पूर्विकताप्राप्त गृहस्थी की पहचान

3. पूर्विकताप्राप्त गृहस्थी की पहचान.— कोई व्यक्ति जो अनुसूची-I में यथा अधिकथित पात्रता मानदण्ड पूर्ण करता है, की राष्ट्रीय खाद्य सुरक्षा अधिनियम के अधीन पूर्विकताप्राप्त गृहस्थी के रूप में पहचान होगी:

परन्तु राज्य में गृहस्थियों की कुल संख्या, भारत सरकार द्वारा समय-समय पर यथा नियत अधिनियम के अन्तर्गत आने वाली ग्रामीण और शहरी जनसंख्या की प्रतिशतता से अधिक नहीं होगी।

4. राशन कार्ड जारी करने की प्रक्रिया.—विभाग केवल पहचान किए गए पूर्विकताप्राप्त गृहस्थियों को ही राशन कार्ड जारी करेगा और ऐसे पूर्विकताप्राप्त गृहस्थियों को जनसाधारण को उपलब्ध करवाया जाएगा। चयनित हिताधिकारियों की सूची को इन नियमों के अधीन विहित "घोषणा प्ररूप" पर एक स्व-वचनबद्ध प्रस्तुत करना होगा।

अध्याय-3

आन्तरिक शिकायत निवारण तन्त्र

5. नोडल अधिकारियों की नियुक्ति.—यथास्थिति, ब्लॉक (खण्ड) में समस्त निरीक्षक, खाद्य, नागरिक आपूर्ति और उपभोक्ता मामले, जिला में जिला नियन्त्रक, खाद्य, नागरिक आपूर्ति और उपभोक्ता मामले और विभाग के मुख्य कार्यालय में खाद्य वितरण शाखा का प्रभारी अधिकारी, जो अतिरिक्त/संयुक्त/उप निदेशक की पंक्ति से नीचे का न हो, आन्तरिक शिकायत निवारण तन्त्र के लिए नोडल अधिकारी के रूप में कार्य करेगा।

6. नोडल अधिकारी के कृत्य.—नोडल अधिकारी, इस बाबत लिखित में या विभाग की वैबसाइट पर उपलब्ध इलैक्ट्रॉनिक लोक वितरण प्रणाली (ई0पी0डी0एस0) पोर्टल के माध्यम से या दूरभाष सहायता प्रणाली के माध्यम से प्राप्त समस्त शिकायतों का अनुश्रवण करेगा और उन्हें सम्बद्ध अधिकारी को उनके निपटारे (निवारण) हेतु अग्रेषित करेगा।

7. शिकायत निवारण के लिए प्रक्रिया और समयावधि.—(1) नोडल अधिकारियों, टोल फ्री सहायता नम्बरों और इलैक्ट्रॉनिक लोक वितरण प्रणाली (ई0पी0डी0एस0) पोर्टल के माध्यम से प्राप्त प्रत्येक शिकायत को एक विशिष्ट (यूनीक) शिकायत नम्बर दिया जाएगा।

(2) राज्य सरकार के सम्बद्ध अधिकारियों द्वारा प्राप्त शिकायत से सम्बन्धित तथ्यों की जांच (सत्यापन) के पश्चात् इसके निवारण के लिए उपचारी कार्रवाई को शिकायत की प्राप्ति से पंद्रह दिन के भीतर पूर्ण कर लिया जाएगा।

(3) शिकायतकर्ता को लिखित में या ई-मेल के माध्यम से या दूरभाष द्वारा ऐसी रीति, जिसमें शिकायत का निपटारा किया गया है, के बारे में सूचित किया जाएगा।

अध्याय-4

बाह्य शिकायत निवारण तन्त्र

8. जिला शिकायत निवारण अधिकारी.—(1) समस्त उपायुक्त या कोई अधिकारी, जो अतिरिक्त उपायुक्त की पंक्ति से नीचे का न हो, अध्याय-2 के अधीन अधिकृत खाद्यान्न या भोजन के वितरण से सम्बन्धित मामलों में व्यथित व्यक्तियों की शिकायतों के तीव्र और प्रभावी निवारण और अधिनियम के

अधीन हकदारियों को प्रवर्तित करने के लिए पदेन जिला शिकायत निवारण अधिकारी के रूप में कार्य करेंगे।

(2) प्रत्येक जिलों की बाबत, जिला शिकायत निवारण अधिकारी से सम्पर्क करने का पता, दूरभाष नम्बर, ई-मेल पता, प्रतिकृति नम्बरों और अन्य साधनों को जिलों में विभाग के प्रत्येक कार्यालय में, उचित मूल्य की दुकानों, विद्यालयों, आंगनबाड़ी केन्द्रों, अन्य सार्वजनिक स्थानों, वैबसाइटों और जिला शिकायत निवारण अधिकारी के कार्यालयों में प्रदर्शित किया जाएगा।

(3) जिला शिकायत निवारण अधिकारी के नाम में परिवर्तन होने की दशा में, उसका पता और दूरभाष नम्बर, ई-मेल पता, प्रतिकृति नम्बर और उससे सम्पर्क करने के अन्य साधनों को जनसाधारण को समुचित रूप से संसूचित किया जाएगा।

9. शिकायतें रजिस्ट्रीकृत करने हेतु प्रक्रिया.—(1) कोई भी व्यथित व्यक्ति जिला शिकायत निवारण अधिकारी के पास लिखित में या ई-मेल के माध्यम से या अपनी लिखित शिकायत को शिकायत पेटी, जो जिला शिकायत निवारण अधिकारी के कार्यालय, चयनित उचित मूल्य की दुकानों और अन्य सार्वजनिक स्थानों जैसे कि विद्यालयों, आंगनबाड़ी केन्द्रों आदि में स्थापित की जाएगी, में डालकर अपनी शिकायत दर्ज और रजिस्टर कर सकेगा।

(2) शिकायतों को पुनः प्राप्त करने हेतु शिकायत पेटियों को कम से कम तीन दिन में एक बार खोला जाएगा और उनके निवारण के लिए तुरन्त कार्रवाई की जाएगी।

(3) शिकायतों को विनिर्दिष्ट ब्यौरों और शिकायतकर्ता की सम्पर्क-सूचना सहित दर्ज किया जाएगा। कोई भी अनाम शिकायत संज्ञान में नहीं ली जाएगी।

(4) जहां कोई शिकायतकर्ता लिखित में शिकायत करने में असमर्थ हो, तो जिला शिकायत निवारण अधिकारी मौखिक रूप से आवेदन करने वाले व्यक्ति को लिखने में समस्त युक्तियुक्त सहायता प्रदान करेगा।

(5) समस्त शिकायतों को, शिकायत की प्राप्ति के एक दिन के भीतर तारीख और विशिष्ट शिकायत संख्या विनिर्दिष्ट करते हुए, लिखित में या इलैक्ट्रॉनिक साधनों के माध्यम से रसीद द्वारा अभिस्वीकृत किया जाएगा।

10. शिकायतों के निवारण के लिए प्रक्रिया.—(1) प्रत्येक प्राप्त शिकायत को जिला शिकायत निवारण अधिकारी सत्यापित करेगा कि मामले की आगे जांच करने हेतु क्या शिकायत में कोई प्रथम दृष्टया सार हैं।

(2) यदि जिला शिकायत निवारण अधिकारी का समाधान हो जाता है कि शिकायत में कोई प्रथम दृष्टया सार हैं तो वह सम्बद्ध अधिकारी (अधिकारियों) या अभिकरण, जिसके विरुद्ध शिकायत की गई है, से सुसंगत दस्तावेजों सहित स्पष्टीकरण मांगेगा। सम्बद्ध अधिकारी (अधिकारियों) या अभिकरण, जिनके विरुद्ध शिकायत की गई है, द्वारा नोटिस की प्राप्ति से पंद्रह दिन के भीतर जिला शिकायत निवारण अधिकारी को अपेक्षित स्पष्टीकरण और दस्तावेज दिए जाएंगे।

(3) सम्बद्ध अधिकारी (अधिकारियों) या अभिकरण, जिसके विरुद्ध शिकायत की गई है, के स्पष्टीकरण और उपलब्ध दस्तावेजों के आधार पर, यदि जिला शिकायत निवारण अधिकारी का शिकायत की सत्यता के बारे में समाधान हो जाता है, तो वह शिकायत की प्राप्ति की तारीख से तीस दिन के भीतर इसके निवारण हेतु आवश्यक ओदश जारी करेगा। जिला शिकायत निवारण अधिकारी शिकायत में कोई गुणागुण न होने की दशा में उसे निरस्त कर देगा।

(4) शिकायत में किए गए दावों पर पक्षकारों के बीच असहमति के वास्तविक आधारों की दशा में, जिला शिकायत निवारण अधिकारी समस्त पक्षकारों को मामले में सुनवाई की नियत तारीख, समय और

स्थान के सम्बन्ध में नोटिस जारी करेगा। अधिकारी पक्षकारों के निवेदन पर या स्वविवेक से भी कार्यवाहियों को किसी अन्य तारीख को खर्च (कॉस्ट) सहित या खर्च (कॉस्ट) के बिना स्थगित कर सकेगा।

(5) सुनवाई के लिए नियत तारीख को जिला शिकायत निवारण अधिकारी, पक्षकारों को सुनेगा और ऐसे साक्ष्य लेगा जो उनके द्वारा दिए जाएं। समस्त पक्षकारों को सुनने और सुनवाई के दौरान साक्ष्य पर विचार किए जाने के पश्चात, अधिकारी, शिकायत की प्राप्ति की तारीख से पैंतालीस दिन के भीतर उपयुक्त ओदश पारित करेगा:

परन्तु यदि जिला शिकायत निवारण अधिकारी द्वारा नियत सुनवाई की तारीख को शिकायतकर्ता अनुपस्थित रहता है तो वह शिकायत को निरस्त कर सकेगा। तथापि, यदि उस द्वारा नियत तारीख को प्रतिरक्षक पक्षकार अनुपस्थित रहता है तो वह मामले पर एक-पक्षीय सुनवाई कर सकेगा और तदनुसार विनिश्चय कर सकेगा।

(6) शिकायतकर्ता को उसकी शिकायत पर लिए गए विनिश्चय के बारे में लिखित में या इलैक्ट्रॉनिक तन्त्र के माध्यम से शिकायतकर्ता द्वारा इसकी प्राप्ति की पुष्टि के लिए प्रणाली के साथ सूचित किया जाएगा।

(7) यदि जिला शिकायत निवारण अधिकारी की यह राय है कि शिकायतों के निपटारे के लिए उपर्युक्त खण्ड (3) और (5) के अधीन विहित परिसीमा से अधिक परिसीमा की अपेक्षा है तो शिकायतकर्ता को देरी के कारणों को उद्धृत करते हुए एक अंतरिम उत्तर भेजा जाएगा।

11. जिला शिकायत निवारण अधिकारी की शक्तियां।—(1) जिला शिकायत निवारण अधिकारी के पास शिकायतों की जांच करते समय किसी व्यक्ति से निम्नलिखित अपेक्षा करने की शक्तियां होंगी:—

(क) इस प्रकार अपेक्षित व्यक्तियों की अभिरक्षा में या नियन्त्रणाधीन ऐसी पुस्तकें, लेखे, दस्तावेज या कोई अन्य सामग्री उसके समक्ष प्रस्तुत करने और उनका परीक्षण किए जाने के लिए अनुज्ञात करना, जैसी अध्यपेक्षा में विनिर्दिष्ट की जाए।

(ख) ऐसी सूचना प्रस्तुत करना, जैसी अपेक्षित की जाए।

(2) शिकायत का निर्णय करते समय, जिला शिकायत निवारण अधिकारी, उचित मूल्य की दुकान के स्वामी या सम्बद्ध विभाग का कर्मचारी, जो इन नियमों के उपबन्धों के अनुसार उत्तरदायी पाया जाता है, के विरुद्ध सक्षम प्राधिकारी द्वारा की जाने वाली कार्रवाई करने की सिफारिश कर सकेगा।

12. शिकायतों के निपटारे का अनुश्रवण।—शिकायतों का निपटारा राज्य सरकार के विभाग के प्रभारी सचिव द्वारा, मास में कम से कम एक बार, किया जाएगा।

13. मासिक रिपोर्ट।—जिला शिकायत निवारण अधिकारी द्वारा प्राप्त शिकायतों और उनके निपटान की मासिक रिपोर्ट को जिला शिकायत निवारण अधिकारी द्वारा उत्तरवर्ती मास के पन्द्रहवें दिन तक राज्य सरकार को भेजी जाएगी। राज्य सरकार, सम्पूर्ण राज्य के लिए एक मासिक समेकित रिपोर्ट, उत्तरवर्ती मास के अन्त तक, उपभोक्ता मामले, खाद्य और सार्वजनिक वितरण मन्त्रालय, भारत सरकार को भेजेगी।

अध्याय—5

राज्य खाद्य आयोग

14. नियुक्ति की रीति।—(1) राज्य खाद्य आयोग के अध्यक्ष और सदस्यों की नियुक्ति के लिए आवेदन समाचार-पत्रों/विभाग की वेबसाइट में सार्वजनिक नोटिस के माध्यम से आमन्त्रित किए जाएंगे।

(2) छानबीन समिति, राज्य खाद्य आयोग के अध्यक्ष और सदस्यों के रूप में नियुक्ति के लिए उपलब्ध अभ्यर्थियों की चयनित सूची बनाएगी। उक्त छानबीन समिति निम्नलिखित से मिलकर बनेगी:—

- | | | |
|---|----|----------|
| (क) मुख्य सचिव, हिमाचल प्रदेश | .. | अध्यक्ष |
| (ख) सचिव (कार्मिक), हिमाचल प्रदेश | .. | सदस्य और |
| (ग) सचिव (खाद्य, नागरिक आपूर्ति एवं उपभोक्ता मामले)
हिमाचल प्रदेश। | .. | सदस्य |

(3) समिति द्वारा चयनित अभ्यर्थियों की सूची को अध्यक्ष और सदस्यों की नियुक्ति की बाबत विचार करने/अन्तिम विनिश्चय करने के लिए राज्य सरकार को प्रस्तुत किया जाएगा।

(4) अध्यक्ष या कोई सदस्य,—

- (क) राज्य सरकार को अपने हस्ताक्षर से सम्बोधित पत्र द्वारा किसी भी समय अपने पद से त्याग—पत्र दे सकेगा;
- (ख) अधिनियम की धारा 16 की उपधारा (9) के उपबन्धों के अनुसार पद से हटाया जा सकेगा;
- (ग) राज्य आयोग के अध्यक्ष या किसी अन्य सदस्य के त्यागपत्र देने या उसके हटाए जाने के कारण कारित प्रत्येक रिक्ति को नई नियुक्ति द्वारा भरा जाएगा;
- (घ) जहां राज्य आयोग के अध्यक्ष का पद रिक्त हो जाता है, तो आयोग का तत्समय पद धारण करने वाला वरिष्ठतम सदस्य (नियुक्ति के क्रम में) तब तक अध्यक्ष के कृत्यों का निर्वहन करेगा जब तक कि ऐसी रिक्ति को भरने के लिए नियुक्त व्यक्ति राज्य आयोग के अध्यक्ष का पद ग्रहण नहीं कर लेता है और
- (ङ) जहां राज्य आयोग का अध्यक्ष अनुपस्थिति, बीमारी या किसी अन्य कारण से कृत्यों का निर्वहन करने में असमर्थ है, तो राज्य आयोग का वरिष्ठतम सदस्य (नियुक्ति के क्रम में) उस दिन तक अध्यक्ष के कृत्यों का निर्वहन करेगा जिस दिन तक अध्यक्ष अपने पद का कार्यभार ग्रहण नहीं कर लेता है।

(5) राज्य आयोग के अध्यक्ष और सदस्य को नियुक्ति से पूर्व यह वचनबंध देना होगा कि उसके आयोग में कोई ऐसे वित्तीय या अन्य हित नहीं हैं और नहीं होंगे जो इस प्रकार उसके कृत्यों को प्रतिकूलतः सम्भाव्य प्रभावित करते हैं।

(6) राज्य खाद्य आयोग के अध्यक्ष को केवल 90,000/—रुपए (नब्बे हजार रुपए) प्रतिमास के नियत मानदेय जमा अन्य भत्ते सहित पुर्णकालिक आधार पर नियुक्त किया जाएगा और गैर—सरकारी सदस्यों को प्रति बैठक केवल 3000/—रुपए (तीन हजार रुपए) की दर से बैठक फीस संदत्र की जाएगी।

15. राज्य आयोग की बैठक का स्थान और अन्य सम्बन्धित विषय.—(1) राज्य आयोग का कार्यालय शिमला में अवस्थित होगा।

(2) राज्य आयोग के कार्य दिवस एवं कार्यालय की समयावधि वही होगी जो राज्य सरकार की है।

(3) राज्य आयोग की बैठकें, जब भी आवश्यक हो, अध्यक्ष द्वारा आयोजित की जाएंगी।

16. अपील.—कोई शिकायतकर्ता या अधिकारी या प्राधिकारी, जिसके विरुद्ध जिला शिकायत निवारण अधिकारी द्वारा ओदश पारित किया गया है और जिसका शिकायत निवारण से समाधान नहीं हुआ है, तो वह ऐसे आदेश के विरुद्ध जिला शिकायत निवारण अधिकारी द्वारा पारित आदेश की प्राप्ति की तारीख से तीस दिनों के भीतर राज्य खाद्य आयोग के समक्ष अपील कर सकेगा।

17. अपील की सुनवाई के लिए प्रक्रिया.—(1) अपील का ज्ञापन राज्य आयोग को अपीलार्थी या उसके प्राधिकृत अभिकर्ता द्वारा व्यक्तिगत रूप से प्रस्तुत किया जाएगा या राज्य आयोग को सम्बोधित रजिस्ट्रीकृत डाक द्वारा भेजा जाएगा।

(2) प्रत्येक अपील—ज्ञापन, के साथ जिला शिकायत निवारण अधिकारी के अपील के विरुद्ध किए गए आदेश की सत्यापित प्रति और ऐसे दस्तावेज, जो ज्ञापन में वर्णित आक्षेप के आधारों के समर्थन में आवश्यक हों, संलग्न किए जाएंगे।

(3) यदि अपील, अधिनियम में यथा—विनिर्दिष्ट समय सीमा की अवधि के अवसान के पश्चात् प्रस्तुत की जाती है, तो ज्ञापन के साथ उन तथ्यों को व्यक्त करते हुए जिन पर अपीलार्थी राज्य आयोग का समाधान होने का विश्वास करता है कि उसके पास समयसीमा की अवधि के भीतर अपील प्रस्तुत न करने के पर्याप्त कारण हैं, शपथ—पत्र द्वारा समर्थित आवेदन संलग्न किया जाएगा।

(4) पक्षकारों या उनके प्राधिकृत अभिकर्ताओं के लिए यह आबद्धकर होगा कि वे सुनवाई की तारीख या किसी अन्य दिन जिसको सुनवाई स्थगित की जाए, राज्य आयोग के समक्ष उपस्थित हों। यदि अपीलार्थी या उसका प्राधिकृत अभिकर्ता ऐसी तारीख को उपस्थित होने में असमर्थ रहता है, तो राज्य आयोग स्वविवेक से या तो अपील को खारिज कर सकेगा या मामले के गुणागुण पर इसका विनिश्चय कर सकेगा। यदि प्रत्यार्थी या उसका प्राधिकृत अभिकर्ता ऐसी तारीख को उपस्थित होने में असमर्थ रहता है तो राज्य आयोग एकपक्षीय कार्यवाई करेगा और मामले के गुणागुण पर एक पक्षीय रूप से अपील का विनिश्चय करेगा।

(5) अपीलार्थी, राज्य आयोग की इजाजत के सिवाय, ज्ञापन में उपवर्णित नहीं किए गए आक्षेप के किसी आधार के समर्थन में नहीं बताएगा या उसकी सुनवाई नहीं की जाएगी, किन्तु राज्य आयोग अपील का विनिश्चय करते हुए ज्ञापन में उपवर्णित या इस नियम के अधीन राज्य आयोग की इजाजत से लिए गए आक्षेप के आधारों तक ही सीमित नहीं रहेगा:

परन्तु आयोग तब तक किसी अन्य आधार पर अपना विनिश्चय नहीं करेगा, जब तक कि एतद्द्वारा प्रभावित हो सकने वाले पक्षकार को राज्य आयोग द्वारा कम से कम सुनवाई का एक अवसर न दे दिया गया हो।

18. अभिलेखों का अनुरक्षण.—आयोग समस्त अभिलेखों का अनुरक्षण करेगा, जिसके अन्तर्गत उनके निपटारे से सम्बन्धित अपीलें और अभिलेख हैं।

19. मुद्रा और प्रतीक.—राज्य खाद्य आयोग की मुद्रा और प्रतीक ऐसे होंगे, जैसे राज्य सरकार द्वारा विनिर्दिष्ट किए जाएं।

20. न्याय मित्र.—राज्य खाद्य आयोग पारदर्शिता और निष्पक्षता सुनिश्चित करने के आशय से न्याय मित्र नियुक्त कर सकेगा।

21. राज्य खाद्य आयोग के कर्मचारिवृन्द की नियुक्ति.—राज्य खाद्य आयोग एक स्वायत्त निकाय होने के नाते, राज्य खाद्य आयोग को उसके कृत्यों का उचित निर्वहन करने के लिए सहायता हेतु ऐसे प्रशासनिक और तकनीकी कर्मचारिवृन्द, संविदा पर या बाह्य स्रोत (ऑउट सोर्स) द्वारा (जैसा राज्य सरकार द्वारा विहित हो) नियुक्त करेगा। राज्य खाद्य आयोग के ऐसे कर्मचारिवृन्द के वेतन और अन्य भत्ते ऐसे होंगे जैसे राज्य सरकार द्वारा समय—समय पर अवधारित किए जाएं।

22. पुनर्विलोकन और अनुश्रवण.—अधिनियम के कार्यान्वयन के पुनर्विलोकन और अनुश्रवण के लिए, आयोग राज्य के विभाग के अधिकारियों, राज्य सरकार के अन्य सम्बद्ध अभिकरणों, ख्यातिप्राप्त गैर-सरकारी संगठनों और सिविल सोसाइटी के सदस्यों के साथ नियमित बैठकें आयोजित करेगा और अधिनियम के प्रभावी क्रियान्वयन के लिए राज्य सरकार को अपना परामर्श देगा।

अध्याय-6

सामाजिक संपरीक्षा

23. लक्षित सार्वजनिक वितरण प्रणाली से सम्बन्धित अभिलेख.—राज्य में पात्र हिताधिकारियों और खाद्यान्न के आबंटन के सम्बन्ध में, समस्त सूचियां, राज्य सरकार द्वारा अपनी वेबसाइट पर नियमित रूप से अद्यतन की जाएंगी।

24. सतर्कता समिति की संरचना.—(1) राज्य, जिला, खण्ड और उचित मूल्य की दुकान के स्तर पर सतर्कता समिति की संरचना अनुसूची-2 के अनुसार होगी।

(2) ऐसी सतर्कता समितियों का गठन ऐसा होगा, जैसा राज्य सरकार द्वारा राजपत्र (ई-गजट), हिमाचल प्रदेश में अधिसूचित और/या जैसा संशोधित किया जाए।

25. उचित मूल्य की दुकानों, लक्षित सार्वजनिक वितरण प्रणाली और अन्य कल्याण स्कीमों के कार्यक्रम की सामाजिक संपरीक्षा का संचालन.—(1) राज्य सरकार, उचित मूल्य की दुकानों, लक्षित सार्वजनिक वितरण प्रणाली और अन्य कल्याणकारी स्कीमों (ओ0डब्ल्यू0एस0) के कार्यक्रम की यथाविहित सामयिक सामाजिक संपरीक्षा के संचालन में कार्य सुगमीकरण के अनुपालन के लिए उप मण्डल-मजिस्ट्रेटों को उनके नियंत्रणाधीन समस्त क्षेत्र कृत्यकारियों को जो तहसीलदार की पंक्ति से नीचे के न हों या किसी स्वतंत्र निकाय को लगाने के लिए प्राधिकृत करेगी।

(2) कोई साधारण आरूप/प्रश्नावलियां तैयार की जाएंगी, जो, यथास्थिति, संबद्ध ग्राम सभा/वार्ड सभा के समस्त प्रतिभागियों को प्रदान की जाएंगी, ताकि लोग अपने विचार व्यक्त कर सकें।

(3) सम्बन्धित क्षेत्र कृत्यकारी सम्बद्ध ग्राम सभा के सभी प्रतिभागियों द्वारा सम्यक् रूप से भरे गए आरूप/प्रश्नावलियों को एकत्र करेंगे।

(4) संबंधित क्षेत्र कृत्यकारी ऐसे भरे गए समस्त आरूपों/प्रश्नावलियों के आधार पर, उचित मूल्य की दुकानों, लक्षित सार्वजनिक वितरण प्रणाली और अन्य कल्याणकारी स्कीमों, यदि कोई हों, के कार्यक्रम में बेहतरी के लिए किए जाने वाले विशेष उपायों को उपदर्शित करते हुए एक समेकित कृत-कार्रवाई रिपोर्ट (ए0टी0आर0) तैयार करेंगे और उसे उप-मंडलीय मजिस्ट्रेट को प्रस्तुत करेंगे।

(5) जब ग्राम सभा आयोजित करना संभव न हो, तो इस निमित्त प्राधिकृत उप-मंडलीय मजिस्ट्रेट किसी विशिष्ट उचित मूल्य की दुकानों की बाबत सामाजिक संपरीक्षा संचालित करने के लिए किसी अन्य रीति का भी सहारा ले सकेगा। उदाहरण के लिए, उपरोक्त उप-नियम (2) के अनुसरण में, जो भी आरूप/प्रश्नावलियां तैयार की जाएं, उन्हें किसी विशिष्ट उचित मूल्य की दुकान की संपरीक्षा निष्पादन के लिए कार्डधारकों के न्यूनतम (तीस प्रतिशत) के मध्य परिचालित किया जा सकेगा। इस सम्बन्ध में आरूप/प्रश्नावलियों के परिचालन/संग्रहण में उचित मूल्य की दुकान के व्यवहारी/अनुज्ञातिधारी को नहीं लगाया जाएगा।

(6) उप-मंडल मजिस्ट्रेट तदनुसार अपनी सक्षमता के अनुसार प्रत्येक आवश्यक कार्रवाई करेगा और ऐसी सभी कृत कार्रवाई रिपोर्ट, राज्य सरकार को आवश्यक कार्रवाई के लिए निर्दिष्ट करेगा, यदि ऐसी कार्रवाइयां करना उसकी सक्षमता से परे हैं।

(7) उचित मूल्य की दुकान स्तरीय सतर्कता समितियां, लक्षित सार्वजनिक वितरण प्रणाली के अधीन उपभोक्ताओं को राशन वस्तुओं के आबंटन, भण्डारण और वितरण संबंधी उचित मूल्य की दुकानों के अभिलेख की सामाजिक संपरीक्षा संचालित करेंगी।

(8) उचित मूल्य की दुकान स्तरीय सतर्कता समितियां, त्रैमासिक आधार पर संपरीक्षा के तुरन्त बाद, अपनी विस्तृत सामाजिक संपरीक्षा रिपोर्ट को संबंधित खण्ड स्तरीय सतर्कता समिति को अग्रेषित करेंगी।

(9) खण्ड स्तरीय सतर्कता समिति रिपोर्ट का परीक्षण करेगी और उसे अपने निष्कर्षों/सिफारिशों सहित जिला स्तरीय सतर्कता समिति को अग्रेषित करेगी।

(10) जिला स्तरीय सतर्कता समिति जिले में समस्त उचित मूल्य की दुकानों की सामाजिक संपरीक्षा रिपोर्टों का संकलन करने के पश्चात इन्हें जांच और आवश्यक कार्रवाई हेतु खाद्य, नागरिक आपूर्ति एवं उपभोक्ता मामले निदेशालय को अग्रेषित करेंगी।

(11) प्रत्येक उचित मूल्य की दुकान की अंतिम सामाजिक संपरीक्षा रिपोर्ट अंततः जनसाधारण की सूचना हेतु, विहित आरूप पर, लक्षित सार्वजनिक वितरण पोर्टल पर प्रदर्शित की जाएगी।

(12) सतर्कता समितियों द्वारा सामाजिक संपरीक्षा संचालित करने के लिए मापदण्ड :—

(क) राष्ट्रीय खाद्य सुरक्षा अधिनियम, 2013 के अधीन राशन के लिए उचित मूल्य की दुकानों के पास रजिस्ट्रीकृत पात्र गृहस्थियों की अद्यतन सूची;

(ख) स्टॉक की समयोजित उपलब्धता और उचित मूल्य की दुकान द्वारा उसका वितरण;

(ग) राष्ट्रीय खाद्य सुरक्षा अधिनियम, 2013 और राज्य सरकार के अनुदेशों के अनुसार उनकी हकदारी के अनुसार और विनिर्दिष्ट मूल्यों पर पात्र गृहस्थियों को खाद्यानों का वितरण;

(घ) उचित मूल्य की दुकान का नियमित समय पर खोलना और बंद करना;

(ङ) शिकायत निवारण तंत्र के बारे में जागरूकता और हिताधिकारियों की शिकायतों के निवारण में उनकी प्रभावशीलता; और

(च) हिताधिकारियों के अधिप्रमाणन और उचित लक्ष्य-निर्धारण में प्रौद्योगिकी का उपयोग।

26. लक्षित सार्वजनिक वितरण प्रणाली से संबंधित अभिलेखों के प्रकटीकरण की रीति.— (1) उचित मूल्य की दुकानों के स्वामियों की सूची उनके अनुज्ञापन प्रत्यय-पत्र सहित राज्य "इलेक्ट्रॉनिक सार्वजनिक वितरण प्रणाली (ई-पीडीएस) पोर्टल" पर अपलोड की जाएगी।

(2) पूर्विकता गृहस्थियों की पहचान के लिए मानदंड और क्रिया पद्धति तथा उनको राशन कार्ड का जारी किया जाना पोर्टल पर अधिसूचित किया जाएगा।

(3) पूर्विकता गृहस्थियों की पहचान के लिए मानदंड और क्रिया पद्धति के साथ-साथ उनकी हकदारी को प्रमुखता से सामान्य जागरूकता की सूचना के लिए प्रदर्शित/प्रचारित/अपलोड किया जाएगा।

(4) उप-मंडलीय मजिस्ट्रेट अपनी-अपनी अधिकारिता में लक्षित सार्वजनिक वितरण प्रणाली के अधीन खाद्यानों की उपलब्धता, संचलन और गुणवत्ता आदि के बारे में पंचायती राज संस्थाओं/शहरी स्थानीय निकायों को सूचना उपलब्ध करवाएगा।

(5) अर्ध-शासकीय पत्र जारी करने वाले प्राधिकारी समस्त उचित मूल्य की दुकान स्तरीय सर्तकता समितियों को खाद्यान आबंटन आदेशों की प्रतियां पृष्ठांकित करेंगे या ई-पीओडीएस0 (इलैक्ट्रॉनिक-सार्वजनिक वितरण प्रणाली) के अन्तर्गत इलैक्ट्रॉनिक रूप में या समय-समय पर जैसा भी अन्यथा विनिश्चित किया जाए या सम्भव हो, सूचित करेंगे।

(6) सतर्कता समितियों के बारे में विस्तृत जानकारी जैसे कि उनका गठन, कृत्य और शक्तियों को इलैक्ट्रॉनिक सार्वजनिक वितरण प्रणाली (ई-पीओडीएस0) पोर्टल पर प्रदर्शित किया जाएगा।

(7) किसी भी नागरिक/कार्ड धारक को सूचना का अधिकार अधिनियम के अनुरूप लक्षित सार्वजनिक वितरण प्रणाली से संबंधित अभिलेखों/प्रमाणित प्रतियों की संवीक्षा करने का अधिकार होगा। यदि छूट लागू नहीं है, तो नागरिकों को पहुंच अनुज्ञात की जाएगी।

(8) सभी कार्यालयों में जहां राशन कार्ड से संबंधित कार्य किया जाता है, नागरिक घोषणा-पत्र (चार्टर) प्रदर्शित किया जाएगा।

(9) प्रत्येक उचित मूल्य की दुकान समस्त सुसंगत सूचना जैसे कि प्रत्येक लाभार्थी की विभिन्न आवश्यक वस्तुओं के लिए हकदारी, वस्तुओं की कीमतें, उचित मूल्य की दुकान के स्वामी का नाम/प्राधिकरण संख्या, उचित मूल्य की दुकान के खुलने और बन्द होने का समय और साप्ताहिक अवकाश दिवस, स्टॉक की स्थिति, नागरिकों द्वारा निरीक्षण का समय, खाद्यान्नों के नमूने, राशन वस्तुओं की गुणवत्ता और मात्रा और लक्षित सार्वजनिक वितरण प्रणाली हिताधिकारियों द्वारा अनुभव की जाने वाली अन्य समस्याओं के संबंध में शिकायत दर्ज करवाने की प्रक्रिया, इसकी अधिकारिता के अधीन पूर्विकता गृहस्थियों की ब्यौरे-बार सूचियां आदि को किसी सहजदृश्य स्थान पर प्रदर्शित करेगी।

(10) उचित मूल्य की दुकान से संबद्ध कोई भी उपभोक्ता या स्थानीय निवासी पूर्व नियत तारीख/समय पर उचित मूल्य की दुकानों पर उपलब्ध स्टॉक रजिस्टर, राशन कार्ड रजिस्टर, अन्य अभिलेखों और स्टॉक का निरीक्षण करने का हकदार होगा।

27. संस्थागत तंत्र का अन्य प्रयोजनों के लिए उपयोग.—राज्य सरकार, केन्द्रीय सरकार या राज्य सरकार की अन्य स्कीमों और कार्यक्रमों, जैसे राज्य सरकार द्वारा अधिसूचित किए जाएं, के उचित कार्यान्वयन के मामले में जिला शिकायत निवारण अधिकारियों और राज्य खाद्य आयोग की सेवाओं का उपयोग करेगी।

28. शंकाओं को दूर करना.—इन नियमों के किन्हीं उपबंधों के निर्वचन के संबंध में यदि कोई शंका उत्पन्न होती है, तो वह खाद्य, नागरिक आपूर्ति और उपभोक्ता मामले विभाग, हिमाचल प्रदेश सरकार को निर्दिष्ट की जाएगी, जिसका विनिश्चय बाध्यकर होगा।

अनुसूची-I

[नियम-3]

राष्ट्रीय खाद्य सुरक्षा अधिनियम, 2013 के अधीन पूर्विकता गृहस्थियों की पहचान के लिए पात्रता मानदण्ड

धारा 10(1)(ख) के प्रयोजनों के पात्र गृहस्थियों की पहचान के लिए दिशा-निर्देश

राज्य सरकार धारा 3 (1) के अधीन हकदारी हेतु लक्षित सार्वजनिक वितरण प्रणाली के अन्तर्गत "पूर्विकता श्रेणी" में आने वाले गृहस्थियों की पहचान के लिए निम्नलिखित प्रक्रिया के अनुसार दिशानिर्देश बनाएगी और अधिसूचना द्वारा प्रकाशित करेगी:—

(क) व्यक्तियों की निम्नलिखित श्रेणियां पात्र गृहस्थियों की सूची में स्वतः सम्मिलित हो जाएंगी :-

1. राज्य में, ग्राम सभा की बैठकों में अनुमोदित अद्यतन सूचियों के अनुसार अंत्योदय अन्न योजना के हिताधिकारियों के रूप में पहचाने गए समस्त परिवार।
2. गरीबी रेखा से नीचे (बी.पी.एल) के गृहस्थियों और बी.पी.एल दरों पर रियायती राशन के लिए अतिरिक्त गृहस्थियों के रूप में ज्ञात सभी परिवारों को ग्राम सभा बैठकों के दौरान संबंधित ग्राम पंचायतों द्वारा अनुमोदित अद्यतन सूचियों के अनुसार अंत्योदय अन्न योजना स्कीम के अन्तर्गत पहले से ही सम्मिलित नहीं किया गया है।
3. सामाजिक न्याय एवं अधिकारिता विभाग से पेंशन जैसे कि वृद्धावस्था पेंशन, विधवा पेंशन, निशक्तता पेंशन, कुष्ठ रोगी पेंशन प्राप्त करने वाले गृहस्थी का कोई सदस्य।
4. अन्नपूर्णा अन्न योजना स्कीम के अन्तर्गत गृहस्थी का कोई हिताधिकारी।
5. सभी तिब्बतियों या शरणार्थी, जो तिब्बतियन बंदोबस्त अधिकारी द्वारा सत्यापित किए गए हैं।

“ऐसी स्थिति में, जहां किसी गृहस्थी का नाम एक से अधिक प्रवर्ग में आता है, तो उस दशा में गृहस्थी के नाम पर एक बार ही विचार किया जाएगा।”

(ख) छोड़े गए गृहस्थियों के लिए समावेश/अपवर्जन मापदंड :

प्रत्येक ग्राम पंचायत और शहरी निकाय में पात्र गृहस्थियों की सूची में शामिल किए जा सकने वाले गृहस्थियों की ग्रामीण क्षेत्र के लिए 56.23% और शहरी क्षेत्रों के लिए 30.99% के अधिकतम तक सीमित होगी। गृहस्थियों की संख्या के आधार पर, प्रत्येक स्थानीय निकाय (ग्राम पंचायत/शहरी निकाय) उन गृहस्थियों की संख्या की गणना करेगा, जिन्हें पात्र गृहस्थी श्रेणी में शामिल किया जाना है। यदि, किसी स्थानीय निकाय में, कुछ गृहस्थियों को पात्र गृहस्थी की श्रेणी के लिए पहचाना जाना है, चाहे उपरोक्त पैरा-क में निर्दिष्ट मापदंडों के अनुसार गृहस्थियों को स्वतः समावेश के पश्चात अतिशेष गृहस्थियों की पहचान निम्नलिखित मापदंडों का उपयोग करते हुए की जानी है:—

1. समावेशी मापदण्ड :

स्थानीय निकाय के गृहस्थियों को सूची में प्राथमिकता के निम्नलिखित क्रम में शामिल किया जाएगा:—

- (i) एकल नारी
- (ii) अनाथ, परित्यक्त बालक और जो आश्रम में रहते हैं
- (iii) ऐसे गृहस्थी जिनकी मुखिया विधवा है
- (iv) चिकित्सा बोर्ड द्वारा सम्यक् रूप से प्रमाणित 60% से अधिक निःशक्तता वाले किसी भी सदस्य वाले गृहस्थी।
- (v) ऐसे गृहस्थी, जिनका मुखिया लाइलाज़ रोग से ग्रस्त है
- (vi) निर्वाह या सामाजिक सहायता के किसी आश्वस्त साधन के बिना गृहस्थी, जिनका मुखिया साठ वर्ष या इससे अधिक आयु का व्यक्ति है।

- (vii) ऐसे गृहस्थी जिनका मुखिया, भवन और अन्य सन्निर्माण कर्मकार (नियोजन तथा सेवा-शर्त विनियमन) अधिनियम, 1996 के उपबन्ध के अधीन सन्निर्माण कर्मकार के रूप में रजिस्ट्रीकृत व्यक्ति है।
- (viii) जिन गृहस्थियों ने गतवर्ष में महात्मा गांधी राष्ट्रीय ग्रामीण रोजगार गारंटी अधिनियम के अन्तर्गत 50 श्रम कार्य दिवस पूरे किए हैं।
- (ix) किसी भी प्रकार की निःशक्तता वाला व्यक्ति
- (x) कुष्ठ, मानव रोगक्षम-अर्याप्तता वायरस (एच0आई0वी0) और कैंसर के रोगियों का गृहस्थी
- (xi) युद्ध-विधवाओं और स्वतंत्रता-सेनानियों का गृहस्थी
- (xii) सभी निवासी, जो आश्रमों (वृद्धाश्रम और बाल आश्रम आदि), नारी निकेतनों, अनाथों/निराश्रितों, तिब्बतियन बालक, गाँव के स्कूल के लिए छात्रावासों (अर्थात् धर्मशाला कैंट, लोअर धर्मशाला, सुजा/बीट मण्डी और मण्डी में चौतड़ा में) में रह रहे हैं, किन्तु राज्य/केन्द्र सरकार द्वारा उनकी खाद्य सुरक्षा के लिए नकद या वस्तु रूप में किसी भी प्रकार की सहायता प्रदान नहीं की जा रही है।

इसके अतिरिक्त, प्रत्येक ग्राम पंचायत/शहरी निकाय में, ग्रामीण क्षेत्रों के लिए 56.23 प्रतिशत और शहरी क्षेत्रों के लिए 30.99 प्रतिशत के मानदण्ड के अनुसार राष्ट्रीय खाद्य सुरक्षा अधिनियम के अधीन अब तक आवृत न किए गए 10 प्रतिशत तक की अतिरिक्त जनसंख्या को, निम्नलिखित शर्तों के अधीन छोड़े गए/अनावृत में से निर्धनतम को पूर्विकता देते हुए हिताधिकारी के रूप में चयनित किया जा सकेगा:—

- (i) गैर-सिंचित भूमि के 5 हैक्टेयर या सिंचित भूमि के 2 हैक्टेयर से अधिक वाले गृहस्थी नहीं होना चाहिए।
- (ii) 12000/—रुपए प्रतिमाह से अधिक की औसतन मासिक आय वाला गृहस्थी नहीं होना चाहिए।

इसके अतिरिक्त 10 प्रतिशत तक जनसंख्या के लिए अधिनियम के अधीन गरीबी रेखा से नीचे वाले गृहस्थी, जिनके पास पक्के शहरी प्रकार के बड़े घर हैं, की शर्त गृहस्थी के चयन के लिए लागू नहीं होगी।

2. अपवर्जन के मानदंड :

निम्नलिखित गृहस्थी स्वतः ही पात्र गृहस्थी होने से अपवर्जित होंगे:—

- (i) समस्त गृहस्थी, जिनका कोई भी सदस्य किसी भी राज्य या केंद्रीय सरकार, बोर्डों, निगमों, स्वायत्त निकायों, सरकारी क्षेत्र के उपक्रम और स्थानीय निकायों में नियमित या संविदा कर्मचारी है, को अपवर्जित किया जाएगा।
- (ii) कोई भी गृहस्थी जो आयकर दाता गृहस्थी है, को पूर्विकता वाले गृहस्थियों की सूची से अपवर्जित किया जाएगा।
- (iii) वे समस्त गृहस्थी जिनके सदस्य कोई रजिस्ट्रीकृत ठेकेदार हैं, उन्हें भी अपवर्जित किया जाएगा।
- (iv) कोई भी गृहस्थी, जिसका कोई सदस्य किसी भी राज्य या केंद्रीय सरकार, बोर्ड, निगमों, स्वायत्त निकायों, बैंकों, सरकारी क्षेत्र के उपक्रमों और स्थानीय निकायों से पेंशन प्राप्त कर रहा है।

यदि कोई गृहस्थी जो शामिल करने और अपवर्जन करने के दोनों मानदंडों में आता है, तो अपवर्जन मानदंड प्रभावी होगा और उप-गृहस्थी को पात्र-गृहस्थी की सूची में शामिल करने पर विचार नहीं किया जाएगा।

(ग) गृहस्थी के चयन की प्रक्रिया :

1. छोड़े हुए गृहस्थी का चयन, ग्रामीण क्षेत्रों की दशा में संबंधित ग्राम पंचायतों द्वारा उनकी ग्राम सभाओं के माध्यम से और शहरी क्षेत्रों की दशा में नगर निगम/समिति/नगर पंचायत द्वारा किया जाएगा।
2. इस प्रयोजन के लिए ग्रामीण/शहरी विकास विभाग के अनुमोदन के पश्चात् बैठक आयोजित करने के लिए एक विशेष दिन तय किया जाएगा।
3. प्रत्येक ग्राम सभा/शहरी निकाय बैठक के आरम्भ में, छोटे हुए गृहस्थियों की संख्या सूचित करेगा, जिन्हें पात्र गृहस्थियों के रूप में पहचाना जाना है।
4. ग्राम सभा/शहरी निकाय तत्पश्चात् जब तक वांछित संख्या पूर्ण नहीं हो जाती, तब तक अपवर्जन मानदंडों को ध्यान में रखते हुए पूर्विकता के क्रम में गृहस्थियों को सम्मिलित करना प्रारंभ करेगा।
5. पहचान के पश्चात्, पहचान किए गए पात्र गृहस्थियों की सूची (अन्तोदय अन्न योजना और पूर्विकता) सम्बन्ध ग्राम पंचायत/शहरी निकाय द्वारा अपने नोटिस बोर्ड/वैबसाइट पर प्रदर्शित की जाएगी।
6. ग्राम सभा/शहरी निकाय के निर्णय से व्यथित कोई व्यक्ति सम्बद्ध उप-मंडल अधिकारी (सिविल) के पास, ग्राम सभा/शहरी निकाय की बैठक की तारीख से 15 दिनों के भीतर, अपील दायर कर सकता है, जिसके पश्चात् कोई अपील नहीं की जा सकेगी। उप-मंडल अधिकारी पात्र गृहस्थियों में किसी भी गृहस्थी को शामिल करने/अपवर्जित करने के आदेश को गुणागुण के आधार पर कर सकेगा और पात्र गृहस्थी की सूची को सम्बद्ध पंचायत सचिव/शहरी निकाय के कार्यकारी अधिकारी द्वारा तदनुसार संशोधित किया जाएगा।
7. इन दिशानिर्देशों की अधिसूचना के एक मास के भीतर स्थानीय निकायों द्वारा चयन की प्रक्रिया पूर्ण कर ली जाएगी।
8. पात्र गृहस्थियों की अंतिम सूची संबंधित उचित मूल्य की दुकान में उपलब्ध करवाई जाएगी।

अनुसूची-II

[नियम 24(i) देखें]

सतर्कता समिति की संरचना

1. राज्य स्तरीय सतर्कता समिति:

क्रम संख्या	नाम	पदनाम
1.	मंत्री, खाद्य, नागरिक आपूर्ति तथा उपभोक्ता मामले, हिमाचल प्रदेश	अध्यक्ष;
2.	सचिव, खाद्य, नागरिक आपूर्ति तथा उपभोक्ता मामले, हिमाचल प्रदेश सरकार।	सदस्य;

3.	सचिव (स्वास्थ्य), हिमाचल प्रदेश सरकार	सदस्य;
4.	सचिव (शिक्षा), हिमाचल प्रदेश सरकार	सदस्य;
5.	सचिव (पंचायती राज), हिमाचल प्रदेश सरकार	सदस्य;
6.	सचिव (सामाजिक न्याय एवं अधिकारिता), हिमाचल प्रदेश सरकार	सदस्य;
7.	रजिस्ट्रार, सहकारी समितियाँ, हिमाचल प्रदेश।	सदस्य;
8.	प्रबन्ध निदेशक, हिमाचल प्रदेश राज्य नागरिक आपूर्ति निगम सीमित, हिमाचल प्रदेश।	सदस्य;
9.	निदेशक, खाद्य, नागरिक आपूर्ति तथा उपभोक्ता मामले, हिमाचल प्रदेश	सदस्य-सचिव; और
10.	स्थानीय प्राधिकारियों, अनुसूचित जातियों, अनुसूचित जनजातियों, महिलाओं और निराश्रित व्यक्तियों या दिव्यांग व्यक्तियों को उचित प्रतिनिधित्व देते हुए सरकार द्वारा समय-समय पर नामनिर्देशित किए जाने वाले अन्य गैर-सरकारी सदस्य (सत्रह से अधिक नहीं)।	

राज्य स्तरीय सतर्कता समिति निम्नलिखित कृत्य करेगी:—

- (1) राष्ट्रीय, खाद्य सुरक्षा अधिनियम, 2013 के अधीन समस्त स्कीमों के कार्यान्वयन का नियमित रूप से पर्यवेक्षण करना।
- (2) अधिनियम के प्रभावी कार्यान्वयन को सुनिश्चित करने के लिए सभी आवश्यक कदम (पग) उठाना।
- (3) केंद्रीय सरकार को अधिनियम के उद्देश्यों को अग्रसर करने के लिए सुधारों की सिफारिश करना।
- (4) समिति की बैठक एक तिमाही में कम से कम एक बार होगी।

2. जिला स्तरीय सतर्कता समिति:—

क्रम संख्या	नाम	पदनाम
1.	मन्त्री जोकि मुख्य मन्त्री द्वारा मनोनीत किया गया हो	अध्यक्ष;
2.	जिले से विधान सभा के समस्त सदस्य व सम्बन्धित उपायुक्त	सदस्य;
3.	अध्यक्ष, जिला परिषद्	सदस्य;
4.	जिलों का मुख्य चिकित्सा अधिकारी	सदस्य;
5.	जिलों में सरकारी आयुर्विज्ञान महाविद्यालय का प्रधानाचार्य (यदि कोई है)।	सदस्य;
6.	जिला कार्यक्रम अधिकारी, एकीकृत बाल विकास सेवाएं	सदस्य;
7.	उप निदेशक, प्रारंभिक शिक्षा	सदस्य;
8.	जिला जन संपर्क अधिकारी	सदस्य;
9.	परियोजना अधिकारी, जिला ग्रामीण विकास अभिकरण	सदस्य;
10.	सहायक रजिस्ट्रार, सहकारी समिति	सदस्य;
11.	क्षेत्रीय प्रबंधक, हिमाचल प्रदेश राज्य नागरिक आपूर्ति निगम सीमित।	सदस्य;
12.	जिला नियंत्रक, खाद्य, नागरिक आपूर्ति तथा उपभोक्ता मामले	सदस्य-सचिव; और
13.	स्थानीय प्राधिकारियों, अनुसूचित जातियों, अनुसूचित जनजातियों, महिलाओं और निराश्रित व्यक्तियों को उचित प्रतिनिधित्व देते हुए राज्य सरकार द्वारा नामनिर्देशित किए जाने वाले तीन गैर-सरकारी सदस्य।	

जिला स्तरीय सतर्कता समिति निम्नलिखित कृत्यों का पालन करेगी:—

- (1) राष्ट्रीय खाद्य सुरक्षा अधिनियम, 2013 के अन्तर्गत समस्त स्कीमों के क्रियान्वयन का नियमित रूप से पर्यवेक्षण करना।
- (2) इस अधिनियम के उपबन्धों का कोई अतिक्रमण जिला शिकायत निवारण अधिकारी को लिखित में सूचित करना।
- (3) इसके द्वारा पाए गए निधि के किसी अनाचार या दुर्विनियोजन का जिला शिकायत निवारण अधिकारी को लिखित में सूचित करना।
- (4) समिति एक तिमाही में कम से कम एक बार बैठक करेगी।

3. खण्ड स्तरीय सतर्कता समिति:—

क्रम संख्या	नाम	पदनाम
1.	उप-मण्डल अधिकारी	अध्यक्ष;
2.	अध्यक्ष, खण्ड समिति	सदस्य;
3.	खण्ड विकास अधिकारी	सदस्य;
4.	निरीक्षक, सहकारिता सोसाइटी	सदस्य;
5.	विक्रय डिपो प्रभारी, हिमाचल प्रदेश राज्य नागरिक आपूर्ति निगम।	सदस्य;
6.	निरीक्षक, खाद्य नागरिक आपूर्ति एवं उपभोक्ता मामले	सदस्य-सचिव; और
7.	राज्य सरकार द्वारा स्थानीय प्राधिकरण, अनुसूचित जाति, अनुसूचित जनजातियों, महिलाओं और निराश्रित व्यक्तियों या दिव्यांगजनों में से नामनिर्दिष्ट किए जाने वाले पांच सदस्य।	

खण्ड स्तरीय सतर्कता समिति निम्नलिखित कृत्यों का पालन करेगी:—

- (1) राष्ट्रीय खाद्य सुरक्षा अधिनियम, 2013 के अन्तर्गत समस्त स्कीमों के क्रियान्वयन का पर्यवेक्षण करना।
- (2) इस अधिनियम के उपबन्धों के किसी अतिक्रमण का जिला शिकायत निवारण अधिकारी को लिखित में सूचित करना।
- (3) निधि के किसी अनाचार या दुर्विनियोजन या सहायता प्राप्त राशन की छिटपुट चोरी, जो इसकी नोटिस में आई है, का जिला शिकायत निवारण अधिकारी को लिखित में सूचित करना।
- (4) समिति एक तिमाही में कम से कम एक बार बैठक करेगी।

4. ग्रामीण क्षेत्रों में उचित मूल्य दुकान स्तरीय सतर्कता समिति:—

क्रम संख्या	नाम	पदनाम
1.	प्रधान, ग्राम पंचायत	अध्यक्ष;
2.	उप प्रधान, ग्राम पंचायत	सदस्य;
3.	ग्राम पंचायत के समस्त सदस्य	सदस्य;
4.	सहकारिता सोसाइटी का प्रधान	सदस्य;
5.	महिला मण्डल की प्रधान	सदस्य;

6.	युवक मण्डल का प्रधान	सदस्य;
7.	पंचायत सचिव/सहायक	सदस्य-सचिव; और
8.	<p>ग्राम पंचायत संकल्प द्वारा निम्नलिखित में से नामनिर्दिष्ट किए जाने वाले तीन सदस्य:</p> <p>अनुसूचित जातियों के प्रवर्ग से गरीबी रेखा से नीचे (बी0पी0एल) का एक सदस्य, अन्य पिछड़ा वर्गों के प्रवर्ग से गरीबी रेखा से नीचे (बी0पी0एल0) का एक सदस्य, सामान्य प्रवर्गों से गरीबी रेखा से नीचे (बी0पी0एल0) का एक सदस्य:</p> <p>परन्तु इनमें से एक सदस्य कम से कम महिला और निराश्रित व्यक्ति या दिव्यांगजन होगा:</p> <p>परन्तु यह और कि जनजातीय क्षेत्रों में अनुसूचित जातियों के प्रवर्ग के सदस्य के स्थान पर अनुसूचित जनजातियों के प्रवर्ग के गरीबी रेखा से नीचे का एक सदस्य चयनित किया जाएगा।</p>	

यदि ग्राम पंचायत का प्रधान अनुपलब्ध है या उसे अपने कर्तव्यों का इस प्रकार पालन करने से निवारित किया गया है, तो बैठक की अध्यक्षता पंचायत समिति के सहबद्ध उत्थापित सदस्य द्वारा की जाएगी। यदि ग्राम पंचायत में एक से अधिक महिला मण्डल या युवक मण्डल है तो उनमें से एक को ग्राम पंचायत के संकल्प द्वारा नामनिर्दिष्ट किया जाएगा।

उचित मूल्य दुकान स्तरीय सतर्कता समिति निम्नलिखित कृत्यों का पालन करेगी:—

- (1) राष्ट्रीय खाद्य सुरक्षा अधिनियम, 2013 के अन्तर्गत समस्त स्कीमों के क्रियान्वयन का नियमित रूप से पर्यवेक्षण करना।
- (2) इस अधिनियम के उपबन्धों के किसी अतिक्रमण का जिला शिकायत निवारण अधिकारी को लिखित में सूचित करना।
- (3) इसके द्वारा पाए गए निधि के किसी अनाचार या दुर्विनियोजन का जिला शिकायत निवारण अधिकारी को लिखित में सूचित करना।
- (4) समिति एक तिमाही में कम से कम एक बार बैठक करेगी।

5. शहरी क्षेत्र में उचित मूल्य दुकान स्तरीय सतर्कता समिति:

क्रम संख्या	नाम	पदनाम
1.	स्थानीय शहरी निकायों का मेयर/अध्यक्ष/प्रधान	अध्यक्ष;
2.	स्थानीय निकायों का पार्षद/सदस्य	सदस्य;
3.	निरीक्षक, क्षेत्र की सहकारिता सोसाइटी	सदस्य;
4.	निरीक्षक, खाद्य नागरिक आपूर्ति एवं उपभोक्ता मामले	सदस्य-सचिव; और
5.	राज्य सरकार द्वारा प्राधिकारियों, अनुसूचित जातियों, अनुसूचित जनजातियों, महिलाओं और निराश्रित व्यक्तियों या निःशक्त व्यक्तियों में से नामनिर्दिष्ट किए जाने वाले पांच सदस्य।	

शहरी क्षेत्र में उचित मूल्य दुकान स्तरीय सतर्कता समिति निम्नलिखित कृत्यों का पालन करेगी:—

- (1) राष्ट्रीय खाद्य सुरक्षा अधिनियम, 2013 के अन्तर्गत समस्त स्कीमों के क्रियान्वयन का पर्यवेक्षण करना।
- (2) इस अधिनियम के उपबन्धों के किसी अतिक्रमण का जिला शिकायत निवारण अधिकारी को लिखित में सूचित करना।
- (3) पाए गए निधि के किसी अनाचार या दुर्विनियोजन या सहायता प्राप्त राशन की छिटपुट चोरी, जो इसके नोटिस में आई है, का जिला शिकायत निवारण अधिकारी को लिखित में सूचित करना।
- (4) समिति एक तिमाही में कम से कम एक बार बैठक करेगी।

घोषणा प्ररूप

1. सचिव,
ग्राम पंचायत-----
2. आयुक्त/कार्यकारी अधिकारी, नगर निगम-----
3. सचिव/कार्यकारी अधिकारी, नगरपालिका समिति-----
4. सचिव/अधिसूचित क्षेत्र समिति/नगर पंचायत-----
5. कार्यकारी अधिकारी, छावनी बोर्ड-----
(जहां कहीं लागू हो ✓ करे)

विषय:—राष्ट्रीय खाद्य सुरक्षा अधिनियम, 2013 के अन्तर्गत हिताधिकारी द्वारा आज्ञापक घोषणा।

श्रीमान/महोदय,

मैं-----की पत्नी या पुत्री या का पुत्र----- आधार संख्या ----- ,
एतद्वारा, घोषणा करता हूं कि मैं गांव/मोहल्ला/वार्ड-----, डाकघर-----,
ग्राम पंचायत/नगर निगम/नगर पंचायत/अधिसूचित क्षेत्र समिति/छावनी बोर्ड -----
तहसील ----- जिला----- का स्थायी निवासी हूं।

मैं यह भी घोषणा करता हूं कि मैं राष्ट्रीय खाद्य सुरक्षा अधिनियम, 2013 की धारा 10(1)(ख) के अधीन राज्य सरकार द्वारा विरचित हिताधिकारियों (सम्मिलित करने और अपवर्जन के मानदण्ड) की पहचान के लिए दिशानिर्देशों में यथा अधिकथित समस्त पात्रता मानदण्ड पूर्ण करता हूं। यह भी कथन किया जाता है कि उपरोक्त घोषणा की विषय-वस्तु मेरी सर्वोत्तम जानकारी और विश्वास के अनुसार सत्य है और मेरे द्वारा कुछ भी छिपाया नहीं गया है।

तारीख :
स्थान :

भवदीय,
आवेदक का नाम व पता
(सम्पर्क नम्बर सहित यदि उपलब्ध है)

आदेश द्वारा,

ओंकार चन्द शर्मा,
प्रधान सचिव (खाद्य, ना0 आ0 एवं उपभोक्ता मामले)।

[Authoritative English text of this Department Notification No. FDS-A (3)-4/2017 dated 22-08-2019 as required under clause (3) of Article 348 of the Constitution of India].

FOOD, CIVIL SUPPLIES AND CONSUMER AFFAIRS DEPARTMENT

NOTIFICATION

Shimla-2, the 22nd August, 2019

No. FDS-A (3)-4/2017.—In exercise of the powers conferred by section 40 of the National Food Security Act, 2013 (Central Act No. 20 of 2013), the Governor of Himachal Pradesh is pleased to make the following rules, namely :—

CHAPTER-I

PRELIMINARY

1. Short title and commencement.—(1) These rules may be called the Himachal Pradesh Food Security Rules, 2019.

(2) These rules shall come into force on the date of their publication in the Rajpatra (e-Gazette), Himachal Pradesh.

2. Definitions.—(1) In these rules, unless the context otherwise requires,—

- (a) "Act" means the National Food Security Act, 2013 (Central Act No. 20 of 2013);
- (b) "appellant" means a party which makes an appeal against the order of the District Grievance Redressal Officer;
- (c) "Competent Authority" means the District Controller, Food, Civil Supplies and Consumer Affairs (Specified Authority) in case of a Fair Price Shop Owner and the Principal Secretary or the Secretary or the Director as the case may be, of any of the concerned department of the Government of Himachal Pradesh as per the Service Rules in case of Government officials;
- (d) "Department" means the Department of Food, Civil Supplies and Consumer Affairs;
- (e) "District Grievance Redressal Officer" means an officer appointed or designated as such under sub-section (1) of section 15;
- (f) "State Food Commission" means the Commission to be constituted by the State Government under section 16 of the Act;
- (g) "State Government" means the Government of Himachal Pradesh; and
- (h) "Schedule" means schedule appended to these rules.

(2) The words and expressions used in these rules and not defined shall have the same meaning as assigned to them in the Act.

CHAPTER-II

IDENTIFICATION OF PRIORITY HOUSEHOLD

3. Identification of priority households.—Any person who fulfils the eligibility criteria as laid down in Schedule I, shall be identified as priority households under the National Food Security Act:

Provided the total number of priority households in the State shall not exceed the percentage of rural and urban population to be covered under the Act as fixed by the Government of India from time to time.

4. Procedure for issuance of Ration Card.—The department shall issue ration cards only to identified Priority Households and the lists of such priority households shall be made available to the public. The selected beneficiaries shall have to furnish a self undertaking on a “Declaration Form” prescribed under these rules.

CHAPTER-III

INTERNAL GRIEVANCE REDRESSAL MECHANISM

5. Appointment of Nodal Officers.—All the Inspectors, Food, Civil Supplies and Consumer Affairs as the case may be, in the Block, the District Controller, Food, Civil Supplies and Consumer Affairs in the District and the Officer-in-charge of the Food Distribution Branch at Head Office of the department not below the rank of Additional/Joint/Deputy Director shall function as *Nodal officer* for Internal Grievance Redressal Mechanism.

6. Functions of Nodal Officer.—The Nodal Officer shall monitor all the complaints received in writing or through online electronic Public Distribution System(ePDS) portal available on the department's website or through the telephonic help line setup in this regard and shall forward the same to the officer concerned for their redressal.

7. Procedure and time limit for redressal of complaint.—(1) Every complaint received through Nodal Officers, toll free helpline numbers and electronic Public Distribution System(ePDS) portal shall be given a unique complaint number.

(2) After verification of facts by the concerned officers of the State Government about the complaint received, remedial action for its redressal shall be completed within fifteen days from receipt of the complaint.

(3) The complainant shall be informed in writing or through e-mail or telephonically about the manner in which grievance has been redressed.

CHAPTER-IV

EXTERNAL GRIEVANCE REDRESSAL MECHANISM

8. District Grievance Redressal Officer.—(1) All the Deputy Commissioners or an officer not below the rank of Additional Deputy Commissioner shall function as ex-officio District Grievance Redressal Officer for expeditious and effective redressal of grievances of the

aggrieved persons in matters relating to distribution of entitled foodgrains or meals under Chapter II, and to enforce the entitlements under the Act.

(2) The address, telephone numbers, e-mail addresses, facsimile numbers and other means of contacting the District Grievance Redressal Officer, in respect of each District shall be displayed at each office of the department in the District, fair price shops, schools, anganwadi kendras, other public places, websites and at the offices of the District Grievance Redress Officer.

(3) In case of change of the name of the District Grievance Redressal Officer, his address and telephone number, e-mail address, facsimile number and other means of contacting him, shall be suitably intimated to the public.

9. Procedure for registering complaints.—(1) Any aggrieved person can file and register his complaint with the District Grievance Redressal Officer in writing or through e-mail or by dropping their written grievance in grievance boxes, which shall be installed at the office of District Grievance Redressal Officers, select fair price shops and other public places such as schools, anganwadi kendra's etc.

(2) The complaint boxes shall be opened at least once in three days to retrieve the complaints and immediate action shall be taken for their redressal.

(3) Complaints shall be filed with specific details and contact information of the complainant. No anonymous complaint shall be entertained.

(4) Where a complainant is unable to make a complaint in writing, the District Grievance Redressal Officer shall render all reasonable assistance to the person making the request orally to reduce the same in writing.

(5) All complaints shall be acknowledged by a receipt in writing or through electronic means, within one day of receipt of the complaint, specifying date and unique grievance number.

10. Procedure for disposal of complaints.—(1) For every complaint received, the District Grievance Redressal Officer shall verify whether there is a *prima-facie* substance in the complaint to proceed in the matter.

(2) If the District Grievance Redressal Officer is satisfied, that there is *prima-facie* substance in the complaint, he shall seek explanation in the matter from concerned officer(s) or agency against whom complaint has been made, alongwith relevant documents. The requisite explanation and documents shall be furnished by the concerned officer(s) or agency against whom complaint has been made, to the District Grievance Redressal Officer, within fifteen days of the receipt of notice.

(3) Based on the explanation of concerned officer(s) or agency against whom complaint has been made, and the available documents, if the District Grievance Redressal Officer is satisfied about the veracity of the grievance, he shall issue necessary order for its redressal within thirty days from the date of receipt of the complaint. District Grievance Redressal Officer shall dismiss the complaint, in case no merit is found.

(4) In the case of genuine grounds for disagreement between the parties on the claims made in the complaint, the District Grievance Redressal Officer shall issue notices to all parties in

the matter about fixing date, time and place for the hearing. The officer may also, at the request of the parties or *suo moto*, adjourn the proceedings to some other date with or without cost.

(5) On the date fixed for hearing, the District Grievance Redressal Officer shall hear the parties and take such evidence as may be given by them. After hearing all the parties and taking into consideration the evidence during the hearing, the officer shall pass suitable order within forty-five days from the date of receipt of complaint:

Provided that if, on the date of hearing fixed by the District Grievance Redressal Officer, the complainant is absent, he may dismiss the complaint. However, if, on the date fixed by him the defending party is absent, he may proceed to hear the matter *ex-parte* and decide accordingly.

(6) The complainant shall be informed of the decision on his complaint in writing or through electronic mode, with a system for confirmation of its receipt by complainant.

(7) If the District Grievance Redressal Officer is of the opinion that the disposal of the complaints requires more limitation than prescribed under clauses (3) and (5) above, the complainant shall be sent an interim reply citing the reasons for delay.

11. Powers of District Grievance Redressal Officer.—(1) The District Grievance Redressal Officers, while enquiring into complaints, shall have powers to require any person,—

- (a) to produce before, and allow to be examined such books, accounts, documents or any other material in custody or under control of the persons so required, as may be specified in the requisition.
- (b) to furnish such information, as may be required.

(2) While deciding a complaint, the District Grievance Redressal Officer can recommend the action to be taken by the Competent Authority against the fair price shop owner or the employee of the Department concerned, if found to be responsible, according to the provisions of these rules.

12. Monitoring the disposal of complaints.—Disposal of complaints shall be monitored by the Secretary incharge of the Department of the State Government, at least once in a month.

13. Monthly Report.—A monthly report on complaints received and disposed off by the District Grievance Redressal Officer shall be sent by the District Grievance Redressal Officer to State Government by 15th day of the succeeding month. State Government shall send a monthly consolidated report for the State as a whole to the Ministry of Consumer Affairs, Food and Public Distribution, Government of India, by the end of the succeeding month.

Chapter-V

STATE FOOD COMMISSION

14. Method of Appointment.—(1) For appointment of Chairperson and members of the State Food Commission, the applications shall be invited through a public notice in newspapers/website of the Department.

(2) A Screening Committee shall shortlist the available candidates for appointment as Chairperson and members of the State Food Commission. The said screening committee shall consist of the following:—

- | | | |
|--|----|-----------|
| (a) Chief Secretary to the Government of Himachal Pradesh. | .. | Chairman; |
| (b) Secretary (Personnel) to the Government of Himachal Pradesh. | .. | Member |
| (c) Secretary (FCS&CA) to the Government of Himachal Pradesh. | .. | Member |

(3) The list of candidates shortlisted by the committee shall be submitted to the State Government for consideration/final decision regarding appointment of the Chairperson and members.

(4) The Chairperson and any member may,—

- (a) by writing under his hand and addressed to the State Government resign from his office any time;
- (b) be removed from office in accordance with provisions of sub-section 9 of section 16 of the Act;
- (c) every vacancy caused by resignation or removal of the Chairperson or any other member of the State Commission shall be filled by fresh appointment;
- (d) where any vacancy occurs in the office of the Chairperson of the State Commission, the senior most member (in order of appointment), holding office for the time being, shall discharge the functions of the Chairperson until a person appointed to fill such vacancy assumes the office of the Chairperson of the State Commission; and
- (e) where the Chairperson of the State Commission is unable to discharge the functions owing to absence, illness or for any other cause, the senior most member (in order of the appointment) of the State Commission shall discharge the functions of the Chairperson until the day on which the Chairperson resumes the charge of his post.

(5) Before appointment, the Chairperson and member of the State Commission shall have to give an undertaking that he/she does not and will not have any such financial or other interests as is likely to affect prejudicially his/her functions as such.

(6) Chairperson of the State Food Commission, shall be appointed on whole time basis with fixed honorarium of Rs. 90,000/- (Rupees ninety thousands) only per month plus allowances and non-official members will be paid sitting fee @ Rs. 3000/- (Rupees three thousands) only per sitting.

15. Place of Sitting and other matters relating to State Commission.—(1) The office of the State Commission shall be located at Shimla.

(2) The working days and the office hours of the State Commission shall be the same as that of State Government.

(3) Sittings of the State Commission, as and when necessary, shall be convened by the Chairperson.

16. Appeal.—Any complainant or the officer or authority against whom any order has been passed by the District Grievance Redressal Officer, who is not satisfied with the redressal of grievance, may file an appeal against such order before the State Food Commission, within thirty days from the date of receipt of the order by the District Grievance Redressal Officer.

17. Procedure for hearing appeals.—(1) The memorandum of appeal shall be presented by the appellant or his authorized agent to the State Commission in person or sent by registered post addressed to the State Commission.

(2) Each memorandum of appeal shall be accompanied by the certified copy of the order of the District Grievance Redressal Officer appealed against and such of the documents as may be required to support grounds of objection mentioned in the memorandum.

(3) When the appeal is presented after expiry of the period of limitation as specified in the Act, the memorandum shall be accompanied by an application supported by an affidavit setting forth the fact on which the appellant relies to satisfy the State Commission that he has sufficient cause for not preferring the appeal within the period of limitation.

(4) On the date of hearing or any other day to which hearing may be adjourned, it shall be obligatory for the parties or their authorized agents to appear before the State Commission. If appellant or his authorized agent fails to appear on such date, the State Commission may, in its discretion, either dismiss the appeal or decide it on the merit of the case. If respondent or his authorized agents fails to appear on such date, the State Commission shall proceed *ex-parte* and shall decide the appeal *ex-parte* on the merits of the case.

(5) The appellant shall not, except by leave of the State Commission urge or be heard in support of any ground of objection not set forth in the memorandum but the State Commission, in deciding the appeal, shall not confine to the grounds of objection set forth in the memorandum or taken by the leave of the State Commission under this rule:

Provided that the commission shall not rest its decision on any other ground unless the party who may be affected thereby, has been given, at least one opportunity of being heard by the State Commission.

18. Maintenance of records.—Commission shall maintain all the records, including the appeals and records related to their disposal.

19. Stamps and Logo.—The stamps and logo of the State Food Commission shall be as specified by the State Government.

20. Amicus Curiae.—The State Food Commission can appoint Amicus Curiae in order to ensure transparency and objectivity.

21. Appointment of Staff of the State Food Commission.—The State Food Commission, being an autonomous body, shall appoint on contract or outsource (as prescribed by the State Government), such administrative and technical staff, as may be necessary, to assist the State Food Commission for proper discharge of its function. The salaries and other allowances of such staff of the State Food Commission shall be as determined by the State Government from time to time.

22. Review and Monitoring.—For review and monitoring of implementation of the Act, the Commission shall hold regular meetings with the officers of the Department of the State, other concerned agencies of the State Government, reputed Non-Government Organizations and members of the civil society, and give its advice to the State Government for effective implementation of the Act.

CHAPTER-VI

SOCIAL AUDIT

23. Records relating to Targeted Public Distribution System.—All the lists regarding eligible beneficiaries and the allocation of food grains in the State shall be regularly updated by the State Government on its website.

24. Composition of Vigilance Committees.—(1) The composition of the vigilance Committee at the State, District, Block and fair price shop levels shall be as per Schedule-II.

(2) The composition of such Vigilance Committees shall be such as may be notified and/or as amended by the State Government in the Rajpatra (e-Gazette), Himachal Pradesh.

25. Conduct of social audit on the functioning of fair price shops, Targeted Public Distribution System and other welfare schemes.—(1) The State Government shall authorize the Sub-Divisional Magistrates to engage all field functionaries not below the rank of Tehsildar under his disposal or any independent body to perform the work facilitation in the conduct of periodic social audits, as prescribed, on the functioning of fair price shops, Targeted Public Distribution System and Other Welfare Schemes (OWS).

(2) A simple format/questionnaires shall be devised which will be provided to all participants of the concerned Gram Sabha/Ward Sabha, as the case may be, so that people can opine their views.

(3) The respective field functionary shall collect duly filled up format/questionnaires from all the participants of the concerned Gram Sabha.

(4) On the basis of all such filled up format/questionnaires, the respective field functionaries shall prepare and submit a consolidated Action Taken Report (ATR) to the Sub-Divisional Magistrate indicating special measure to be taken for betterment of functioning of Fair Price Shops, Targeted Public Distribution System and other welfare schemes, if any.

(5) Sub-Divisional Magistrate, so authorized in this behalf, may also take recourse of any other manner to conduct social audit in respect of particular fair price shops when organizing Gram Sabha could not be possible. For example, in pursuance of sub-rule (2) above, format/questionnaires, as may be devised, may be circulated among a minimum, say 30% of the Card Holders of a particular fair price shop for audit of performance. In this regard, the dealer of fair price shop/Licensee shall not be engaged in circulation/collection of format/questionnaires.

(6) The Sub-Divisional Magistrate shall take every necessary action within his competence accordingly and refer all such action taken reports to the State Government for taking necessary action, if taking such actions is beyond his competence.

(7) The fair price shop Level Vigilance Committees will conduct the social audit of fair price shops of record relating to allotment, storage and distribution of ration commodities to consumers under Targeted Public Distribution System.

(8) The fair price shop Level Vigilance Committee will forward its detailed social audit report to the concerned Block Level Vigilance Committee immediately after the audit on quarterly basis.

(9) The Block Level Vigilance Committee will examine and forward the report to the District Level Vigilance Committee with its findings/recommendations.

(10) The District Level Vigilance Committee after compilation the social audit reports of all the fair price shops in district, will forward the same to the Directorate, Food, Civil Supplies and Consumer Affairs for scrutiny and necessary action.

(11) The final social audit report of each fair price shop will finally be displayed on the Targeted Public Distribution Portal on a prescribed format for the information of general public.

(12) Parameters for conducting social audit by Vigilance Committees:—

- (a) updated list of eligible households registered with fair price shop for ration under National Food Security Act, 2013;
- (b) timely availability of stocks and distribution of the same by the fair price shop;
- (c) distribution of foodgrains to the eligible households as per their entitlement and prices specified under the National Food Security Act, 2013 and as per instructions of the State Government;
- (d) regular, timely opening and closing of fair price shop;
- (e) awareness about Grievance Redressal Mechanism and their effectiveness in redressal of grievances of beneficiaries; and
- (f) use of technology in beneficiaries authentication and proper targeting.

26. Manner of disclosure of records related to Targeted Public Distribution System.—(1) A list of fair price shop owners alongwith their licensing credential shall be uploaded on the State “electronic Public Distribution System (e-PDS) Portal”.

(2) Criteria and methodology for identification of Priority Households and issuance of ration cards to them will be notified on portal.

(3) Criteria and methodology for identification of Priority Households as well as their entitlements shall be prominently displayed/circulated/uploaded for information of general awareness.

(4) The Sub-Divisional Magistrate, shall, at their respective jurisdiction provide information to Panchayati Raj Institutions/Urban Local Bodies regarding availability, movement and quality of foodgrains etc. under Targeted Public Distribution System.

(5) The *Demi Official* issuing authorities shall endorse copies of orders allocating foodgrains to all fair price shop level Vigilance Committees or inform electronically under electronic Public Distribution System scheme or otherwise as decided or feasible from time to time.

(6) Detailed information about the Vigilance Committees such as their constitution, functions and powers shall be displayed on the electronic Public Distribution System (e- PDS) portal.

(7) Any Citizen/Ration Card Holder shall have the right to scrutinize the records/certified copies relating to Targeted Public Distribution System in line with the Right to Information Act. Access shall be allowed to Citizens if exemption is not applicable.

(8) The Citizens Charter shall be displayed at all offices where Ration Card related work is done.

(9) Each fair price shop shall display all relevant information such as each beneficiary's entitlement of various essential commodities, issue prices, name of fair price shop owner/authorization number, timings of opening and closing of fair price shop and weekly closing day, stock position, timing for inspection by citizens, sample of foodgrains, procedure for lodging complaints with reference to quality and quantity of ration commodities and other problems being faced by Targeted Public Distribution System beneficiaries, detailed lists of Priority Households under its jurisdiction etc. at a conspicuous place at the fair price shop.

(10) Any consumer or local resident attached to the fair price shop shall be entitled to inspect the Stock Register, Ration Card Register, other records and stocks available at the fair price shops at the pre-appointed date/time.

27. Utilization of Institutional mechanism for other purposes.—The State Government shall utilize the services of District Grievance Redressal Officers and State Food Commission in the matter of proper implementation of other schemes and programme of the Central Government or the State Government as may be notified by the State Government.

28. Removal of doubts.—If any doubt arises with regard to the interpretation of any provisions of these rules, it shall be referred to the Food, Civil Supplies and Consumer Affairs Department, Government of Himachal Pradesh, whose decision shall be binding.

SCHEDULE-I

[Rule-3]

ELIGIBILITY CRITERIA FOR IDENTIFICATION OF PRIORITY HOUSEHOLD UNDER NATIONAL FOOD SECURITY ACT, 2013

The Guidelines for identification of eligible Households for the purpose of section 10 (1) (b)

The State Government shall frame and publish via notification, guidelines for identification of households falling in the 'Priority Category' under the Targeted Public Distribution System for the entitlements under section 3 (1), as per following procedure:—

A. Following categories of persons shall be automatically included in the list of eligible households:

1. All families identified as the Antyodaya Anna Yojana (AAY) beneficiaries in the State as per the updated lists approved during the Gram Sabha meetings.
2. All families identified as Below Poverty Line households (BPL) and Additional households for subsidized rations at BPL rates are not already covered under the Antyodaya Anna Yojana (AAY) schemes as per the updated lists approved by the respective Gram Panchayats during the Gram Sabha meetings.
3. Households with any member receiving pensions from Department of Social Justice and Empowerment like Old Age Pension, Widow Pension, Disabled Pension, Lepers Pension.
4. Households with a beneficiary under Annapurna Anna Yojna Scheme.
5. All Tibetans or refugee who are verified by Tibetan Settlement Officer.

“in case of a situation, where a households name figures in more than one category, the name of the household shall be considered once.”

B. Inclusion/ Exclusion criteria for left out households:

The maximum number of households, which can be included in the list of eligible household in each Gram Panchayat and Urban body, shall be limited to maximum 56.23% for rural areas and 30.99% for urban areas. Based on the number of households, each Local body (Gram Panchayat/ Urban body) shall calculate the number of households, which are to be covered in the eligible household category. In case, in a local body, some households are to be identified for eligible household category even after automatic inclusion of families as per the criteria specified in Para-A above, the balance household are to be identified using the following criteria:—

1. Inclusion criteria:

The households in a Local body shall be included in the list of following order of priority:—

- (i) Aikal Naris
- (ii) Orphans, abandoned children and those residing in Ashrams
- (iii) Household headed by a widow
- (iv) Household with any member having more than 60% disability duly certified by Medical Board.
- (v) Households headed by terminally ill person
- (vi) Households headed by person of sixty years of age or more with no assured means of subsistence or social support.

- (vii) Households headed a person registered as constructions worker under the provision of the Building and Other Construction Workers (Regulation of Employment and Conditions of Service) Act, 1996.
- (viii) Households who have completed 50 Mandays of work under Mahatma Gandhi National Rural Employment Act in the year before.
- (ix) Person with any kind of disability
- (x) Household of patients of Leprosy, Human Immunodeficiency Virus (HIV) and Cancer
- (xi) Household of War Widows and families of Freedom Fighters
- (xii) All inmates, who are living in Ashrams (Vridhasharam and Bal Ashram etc.), Nari Niketans, Hostels for orphans/destitute, Tibetan Children Village Schools (Viz. at Dharamshala Cantt., Lower Dharamshala, Suja/Bir Mandi and Chauntra in Mandi) but are not being provided any assistance in cash or kind for their food security by State/Central Government.

In addition to these, additional upto 10% of the population not covered so far under National Food Security Act as per criteria of 56.23% for rural and 30.99% for urban areas in each Gram Panchayat/Urban Body may be selected as beneficiaries by giving priority to the poorest out of the left out/un-covered persons subject to the following conditions :—

- (i) Should not belong to household having more than 5 Hectares of non-irrigated land or 2 Hectare of irrigated land.
- (ii) Should not belong to a household having average monthly income of more than Rs. 12,000/per month.

The condition of barring Below Poverty Line Household having Pucca Urban Type Big House shall not be applicable for selection of household under act for this additional upto 10% population.

2. Exclusion Criteria:

Following households shall be automatically excluded from being eligible households:—

- (i) All the households whose any member is a regular or a contractual employee in any State or Central Government, Boards, Corporations, Autonomous Bodies, Government Sector Undertaking and local bodies shall be excluded.
- (ii) Any household which is an Income Tax payee household, shall be excluded from the list of priority households.
- (iii) All the households whose member is a registered contractor shall be excluded.
- (iv) Any household whose any member is drawing pension from any State or Central Government, Board, Corporations, Autonomous Bodies, Banks, Government Sector Undertaking and Local bodies.

In case households falls both in inclusion criteria and exclusion criteria, the exclusion criteria shall prevail and sub household shall not be considered for inclusion in the list of eligible household.

C. Process of selection of households:

1. The selection of the left out households shall be done by respective Gram Panchayats through their Gram Sabhas in case of rural areas and by Municipal Corporation/Committee/Nagar Panchayat in case of urban areas.
2. For this purpose a special day shall be fixed for holding meeting after approval of the Rural/Urban development department.
3. Every Gram Sabha/Urban Body shall at the start of the meeting inform the number of left out households, which are to be, identified as eligible households.
4. The Gram Sabhas/Urban Bodies shall thereafter start including the households in order of priority keeping in view the exclusion criteria till the desired number is arrived at.
5. After identification, the list of identified eligible Households (Antyodaya Anna Yojana and Priority) shall be displayed by the concerned Gram Panchayat/Urban Body on their notice board/website.
6. Any person aggrieved by the decision of the Gram Sabha/Urban Body can file an appeal with the concerned Sub-Divisional Officer (Civil) within a period of 15 days from the date of the meeting of the Gram Sabha /Urban Body where after no appeal shall lie. The Sub-Divisional Officer may based on the merits of the case order for inclusion/exclusion of any family in the eligible household and the list of eligible households shall be modified accordingly by the concerned Panchayat Secretary/ Executive Officer of the urban body.
7. The process of selection by the local bodies shall be completed within one month of the notification of these guidelines.
8. The final list of eligible households shall be made available in the respective fair price shop.

SCHEDULE-II

[Rule 24 (1)]

COMPOSITION OF VIGILANCE COMMITTEE'S**1. State Level Vigilance Committee:**

Sl. No.	Name	Designation
1.	Minister, Food, Civil Supplies and Consumer Affairs, Himachal Pradesh.	<i>Chairman</i>
2.	Secretary, Food, Civil Supplies and Consumer Affairs, Himachal Pradesh.	<i>Member</i>
3.	Secretary (Health) to the Government of Himachal Pradesh	<i>Member</i>
4.	Secretary (Education) to the Government of Himachal Pradesh	<i>Member</i>

5.	Secretary (Panchayati Raj) to the Government of Himachal Pradesh.	<i>Member</i>
6.	Secretary (Social Justice and Empowerment) to the Government of Himachal Pradesh.	<i>Member</i>
7.	Registrar, Co-operative Societies, Himachal Pradesh	<i>Member</i>
8.	The Managing Director, Himachal Pradesh State Civil Supplies Corporation Ltd., Himachal Pradesh.	<i>Member</i>
9.	The Director, Food, Civil Supplies and Consumer Affairs, Himachal Pradesh.	<i>Member-Secretary and</i>
10.	Other non-official members (not more than seventeen) to be nominated by Government from time to time by giving due representation to the local authorities, the Scheduled Castes, the Scheduled Tribes, women and destitute persons or persons with disability.	

The State Level Vigilance Committee shall perform the following functions :—

- (1) Regularly supervise the implementation of all schemes under National Food Security Act, 2013.
- (2) Take all necessary steps to ensure the effective implementation of the Act.
- (3) Recommend the Central Government any improvements for furtherance of the objectives of the Act.
- (4) The Committee shall meet at least once in a quarter.

2. District Level Vigilance Committee:

Sl. No.	Name	Designation
1.	Minister to be nominated by Chief Minister	Chairman
2.	All the Members of Legislative Assembly from the District and concerned Deputy Commissioner.	Member
3.	Chairman, Zila Parishad	Member
4.	The Chief Medical Officer of the District	Member
5.	The Principal of Government Medical College in the District (If any).	Member
6.	The District Programme Officer, Integrated Child Development Services.	Member
7.	The Deputy Director, Elementary Education	Member
8.	The District Public Relations Officer of the District	Member
9.	The Project Officer, District Rural Development Agency.	Member
10.	The Assistant Registrar, Co-operative Society	Member

11.	The Area Manager, H.P. State Civil Supplies Corporation Ltd.	Member
12.	The Distt. Controller, Food Civil Supplies and Consumer Affairs.	Member-Secretary and
13.	Three non-official members to be nominated by the State Government by giving due representation to the local authorities, the Scheduled Castes, the Scheduled Tribes, women and destitute person or persons with disability.	

The District Level Vigilance Committee shall perform the following functions:—

- (1) Regularly supervise the implementation of all schemes under National Food Security Act, 2013.
- (2) Inform the District Grievance Redressal Officer, in writing, of any violation of the provisions of this Act.
- (3) Inform the District Grievance Redressal Officer, in writing, of any malpractice or misappropriation of funds found by it.
- (4) The Committee shall meet at least once in a quarter.

3. Block Level Vigilance Committee:

Sl. No.	Name	Designation
1.	The Sub-Divisional Officer of the Block	Chairman;
2.	The Chairperson, Block Samiti	Member;
3.	The Block Development Officer of the Block	Member;
4.	The Inspector, Co-operative Societies	Member;
5.	The Sale Depot Incharge of Himachal Pradesh State Civil Supplies Corporation.	Member;
6.	The Inspector, Food, Civil Supplies and Consumer Affairs of the Block.	Member-Secretary and
7.	Five members to be nominated by the State Government from amongst the local authority, the Scheduled Castes, Scheduled Tribes, Women and destitute person or persons with disability.	

The Block Level Vigilance Committee shall perform the following functions:—

- (1) Supervise the implementation of all schemes under National Food Security Act, 2013.
- (2) Inform the District Grievance Redressal Officer, in writing, of any violation of the provisions of this Act.
- (3) Inform the District Grievance Redressal Officer, in writing, of any malpractice or misappropriation of funds or pilferage of subsidized ration which comes to its notice.
- (4) The Committee shall meet at least once in a quarter.

4. Fair Price Shop Level Vigilance Committee in Rural Areas:

Sl. No.	Name	Designation
1.	The Pradhan, Gram Panchayat	Chairman;
2.	The Vice Pradhan, Gram Panchayat	Member;
3.	All members of Gram Panchayat	Member;
4.	The Pradhan of Co-operative Society	Member;
5.	The Pradhan of Mahila Mandal	Member;
6.	The Pradhan of Yuvak Mandal	Member;
7.	The Panchayat Secretary/Sahayak	Member-Secretary; and
8.	<p>Three members to be nominated by the Gram Panchayat Resolution with the following constitutions:</p> <p>One Below Poverty Line from Scheduled Caste Category, One Below Poverty Line from Other Backward Classes category and one Below Poverty Line from General Category:</p> <p>Provided that at least one of these shall be a women and destitute person or persons with disability:</p> <p>Provided further that in the Tribal Areas, one Below Poverty Line of Scheduled Tribe Category shall be selected instead of Scheduled Caste Category.</p>	

In case the Pradhan of the Gram Panchayat is unavailable or is prevented from performing his/her duties as such, the meeting shall be chaired by the concerned elevated member of Panchayat Samiti. In case, there is more than one Mahila Mandal or Yuvak Mandal in the Gram Panchayat, one of them shall be nominated by a resolution of the Gram Panchayat.

The Fair Price Shop Level Vigilance Committee shall perform the following functions:—

- (1) Regularly supervise the implementation of all schemes under National Food Security Act, 2013.
- (2) Inform the District Grievance Redressal Officer, in writing, of any violation of the provisions of this Act.
- (3) Inform the District Grievance Redressal Officer, in writing, of any malpractice or misappropriation of funds found by it.
- (4) The Committee shall meet at least once in a quarter.

5. Fair Price Shop Level Vigilance Committee in Urban Area:

Sl. No.	Name	Designation
1.	Mayor/Chairperson/President of Local Urban Bodies	Chairman;
2.	Councilor/ Members of Local Bodies	Member;
3.	Inspector, Co-operative Society of the Area	Member;
4.	Inspector, Food, Civil Supplies and Consumer Affairs	Member-Secretary; and

5.	Five members to be nominated by the State Government from amongst the local authorities, the Scheduled Castes, Scheduled Tribes, Women and destitute person or persons with disability.
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The Fair Price Shop Level Vigilance Committee in Urban Area shall perform the following functions :—

- (1) Supervise the implementation of all schemes under National Food Security Act, 2013.
- (2) Inform the District Grievance Redressal Officer, in writing, of any violation of the provisions of this Act.
- (3) Inform the District Grievance Redressal Officer, in writing, of any malpractice or misappropriation of funds found or of pilferage of subsidized ration which comes to its notice.
- (4) The Committee shall meet at least once in a quarter.

DECLARATION FORM

To

1. The Secretary,
Gram Panchayat.....
2. The Commissioner/Executive Officer,
Municipal Corporation.....
3. The Secretary/ Executive Officer,
Municipal Committee.....
4. The Secretary/Notified Area Committee/
Nagar Panchayat.....
5. The Executive Officer, Cantonment Board.....
(Tick whichever is applicable)

Subject:—Mandatory declaration by beneficiary under National Food Security Act, 2013.

Sir,

Iwife of or daughter of or son of..... having Aadhaar No....., hereby declare that I am a permanent resident of Village/ Muhalla/Ward, Post Office....., Gram Panchayat/Municipal Corporation/ Nagar Panchayat/Notified Area Committee/Cantonment Board..... Tehsil..... Distt.

I further declare that I fulfil all the eligibility criteria as laid down in guidelines for identification of beneficiaries (inclusion and exclusion criteria) framed by State Govt. under section 10 (1) (b) of National Food Security Act, 2013. It is further stated that the contents of the above declaration are true to the best of my knowledge and belief and nothing has been concealed by me.

Yours faithfully,

Dated :

Place :

Name & Address of the Applicant

(With contact Number, if available)

By order,

ONKAR CHAND SHARMA,
Principal Secretary(FCS&CA).

हिमाचल प्रदेश विधान सभा सचिवालय

अधिसूचना

शिमला-4, 28 अगस्त, 2019

संख्या वि०स०-विधायन-विधेयक/1-22/2019.—हिमाचल प्रदेश विधान सभा की प्रक्रिया एवं कार्य संचालन नियमावली, 1973 के नियम 140 के हिमाचल प्रदेश आकाशी रज्जुमार्ग (संशोधन) विधेयक, 2019 (2019 को विधेयक संख्यांक 11) जोकि आज दिनांक 28 अगस्त, 2019 को हिमाचल प्रदेश विधान सभा में पुरःस्थापित हो चुका है, सर्वसाधारण की सूचनार्थ राजपत्र में अधिसूचित करने हेतु प्रेषित किया जाता है।

हस्ताक्षरित /—

सचिव,

हि० प्र० विधान सभा।

2019 का विधेयक संख्यांक 11

हिमाचल प्रदेश आकाशी रज्जुमार्ग (संशोधन) विधेयक, 2019

खण्डों का क्रम

खण्ड:

1. संक्षिप्त नाम
2. धारा 6 का संशोधन
3. धारा 9 का संशोधन
4. धारा 18 का संशोधन
5. धारा 18-क का लोप
6. धारा 27 का संशोधन
7. धारा 33 का संशोधन
8. धारा 35 का संशोधन

हिमाचल प्रदेश आकाशी रज्जुमार्ग (संशोधन) विधेयक, 2019

(विधान सभा में पुरःस्थापित रूप में)

हिमाचल प्रदेश आकाशी रज्जुमार्ग अधिनियम, 1968 (1969 का अधिनियम संख्यांक 7) का और संशोधन करने के लिए विधेयक।

भारत गणराज्य के सत्तरवें वर्ष में हिमाचल प्रदेश विधान सभा द्वारा निम्नलिखित रूप में यह अधिनियमित हो:-

1. **संक्षिप्त नाम.**—इस अधिनियम का संक्षिप्त नाम हिमाचल प्रदेश आकाशी रज्जुमार्ग (संशोधन) अधिनियम, 2019 है।

2. **धारा 6 का संशोधन.**—हिमाचल प्रदेश आकाशी रज्जुमार्ग अधिनियम, 1968 (जिसे इसमें इसके पश्चात् "मूल अधिनियम" कहा गया है) की धारा 6 की उपधारा (4) के खण्ड (xiii-क) का लोप किया जाएगा।

3. **धारा 9 का संशोधन.**—मूल अधिनियम की धारा 9 में,—

(क) उपधारा (2) में, "अतिरिक्त आदेश" शब्दों से पूर्व "समय के विस्तारण से भिन्न" शब्द अन्तःस्थापित किए जाएंगे ;

(ख) उपधारा (3) में, "लिखित सम्मति के बिना" शब्दों के पश्चात् "समय के विस्तारण से भिन्न" शब्द अन्तःस्थापित किए जाएंगे; और

(ग) उपधारा (3) के पश्चात् निम्नलिखित उपधारा अन्तःस्थापित की जाएगी, अर्थात् :-

"(4) संप्रवर्तक, राज्य सरकार को समय के विस्तारण के लिए एक साधारण आवेदन प्रस्तुत कर सकेगा, जिसमें विस्तृत कारण दिए गए हों। राज्य सरकार सम्यक् विचारण के पश्चात्, यदि उसका समाधान हो जाता है, समय का विस्तारण अनुदत्त कर सकेगी।"

4. **धारा 18 का संशोधन.**—मूल अधिनियम की धारा 18 में, "और ऐसे अधिकतम और न्यूनतम "रेट" के अधीन रहते हुए जैसा कि विहित किया जाए या आदिष्ट किया जाए" शब्दों और चिह्नों का लोप किया जाएगा।

5. **धारा 18-क का लोप.**—मूल अधिनियम की धारा 18-क का लोप किया जाएगा।

6. **धारा 27 का संशोधन.**—मूल अधिनियम की धारा 27 की उपधारा (2) में, "जो पचास रुपए से अनधिक राशि का हो सकेगा" शब्दों के स्थान पर "जैसा समय-समय पर विहित किया जा सकेगा" शब्द और चिह्न रखे जाएंगे।

7. **धारा 33 का संशोधन.**—अधिनियम की धारा 33 में,—

(क) "पाँच हजार रुपए तक का हो सकेगा" शब्दों के स्थान पर "समय-समय पर विहित किया जाए" शब्द और चिह्न रखे जाएंगे।

(ख) "पाँच सौ रुपए तक का हो सकेगा" शब्दों के स्थान पर "समय-समय पर विहित किया जाए" शब्द और चिह्न रखे जाएंगे।

8. **धारा 35 का संशोधन.**—मूल अधिनियम की धारा 35 में "दो सौ रुपए तक का हो सकेगा" शब्दों के स्थान पर "समय-समय पर विहित किया जाए" शब्द और चिह्न रखे जाएंगे।

उद्देश्य और कारणों का कथन

हिमाचल प्रदेश आकाशी रज्जुमार्ग अधिनियम, 1968 (1969 का 7) हिमाचल प्रदेश राज्य में आकाशी रज्जुमार्गों के सन्निर्माण और विनियमन का उपबन्ध करता है। अधिनियम मूलतः राज्य के दूरस्थ क्षेत्रों में तत्समय सीमित सड़क (मार्ग) संयोजकता (कनेक्टिविटी) के कारण रज्जुमार्गों द्वारा परिवहन के विनियमन के लिए लक्षित था। समय बीतने के साथ-साथ हिमाचल प्रदेश एक बड़े पर्यटन स्थल के रूप में उभरा है और सरकार ने इस दिशा में विभिन्न पग उठाए हैं और लोक निजी भागीदारी (पब्लिक प्राइवेट पार्टनरशिप) तथा बनाओ, चलाओ और अंतरित करो (बिल्ड ऑपरेट एण्ड ट्रांसफर) पद्धति के अन्तर्गत वार्षिक अनुज्ञप्ति फीस के आधार पर यात्री रज्जुमार्ग स्थापित करने हेतु प्राइवेट सैक्टर को आमंत्रित किया है। अधिनियम की धारा 6 के अनुसार मकानों या भवनों के छत-शिखर और केबिन के आधार के बीच न्यूनतम 10 मीटर का हैडवे की वर्तमान व्यवस्था होने से भूकंपीय और वायु वेग (विंड विलोसिटी) के दृष्टिगत रज्जुमार्गों को और स्थल पर निर्माण करने में डिजाइन करने में तकनीकी समस्याएं आ रही हैं। इसलिए उक्त उपबन्ध का लोप किया जाना प्रस्तावित है।

धारा 9 में, समय के विस्तारण के लिए आवेदन करने हेतु उपबन्ध में संशोधन करने की आवश्यकता है, क्योंकि वर्तमानतः समय विस्तारण अनुज्ञान करने के लिए प्रक्रिया अत्यंत लम्बी है। इसलिए कारबार करने को सुकर बनाने के लिए सरल प्रक्रिया अपेक्षित है। परियोजनाओं को और अधिक व्यवहार्य बनाने के आशय से प्रवर्तकों को यात्रियों, पशुओं या माल के वहन के लिए दरें नियत करने के लिए अनुज्ञात किया जाना प्रस्तावित है। पूर्वोक्त अधिनियम की धारा 27, 33, और 35 के अधीन उपबंधों को, नियमों में विभिन्न जुर्मानों को विहित करने के आशय से, बार-बार संशोधनों से बचने के लिए, संशोधित करना अपेक्षित है।

यह विधेयक उपर्युक्त उद्देश्यों की पूर्ति के लिए है।

शिमला :
तारीख :, 2019

हस्ताक्षरित /—
(जय राम ठाकुर)
मुख्य मन्त्री।

AUTHORITATIVE ENGLISH TEXT

Bill No. 11 of 2019.

THE HIMACHAL PRADESH AERIAL ROPEWAYS (AMENDMENT) BILL, 2019**ARRANGEMENT OF CLAUSES***Clauses:*

1. Short title
2. Amendment of section 6
3. Amendment of section 9
4. Amendment of section 18
5. Omission of section 18-A
6. Amendment of section 27
7. Amendment of section 33
8. Amendment of section 35

THE HIMACHAL PRADESH AERIAL ROPEWAYS (AMENDMENT) BILL, 2019

(AS INTRODUCED IN THE LEGISLATIVE ASSEMBLY)

A

BILL

further to amend the Himachal Pradesh Aerial Ropeways Act, 1968 (Act No. 7 of 1969).

BE it enacted by the Legislative Assembly of Himachal Pradesh in the Seventieth Year of the Republic of India as follows:—

1. Short title.—This Act may be called the Himachal Pradesh Aerial Ropeways (Amendment) Act, 2019.

2. Amendment of section 6.—In section 6 of the Himachal Pradesh Aerial Ropeways Act, 1968 (hereinafter referred to as the “principal Act”), in sub-section (4), clause (xiii-a) shall be omitted.

3. Amendment of section 9.—In section 9 of the principal Act,—

- (a) in sub-section (2), after the words “further order”, the words “other than extension of time” shall be inserted;
- (b) in sub-section (3), after the words “make the further order”, the words “other than extension of time” shall be inserted; and
- (c) after sub-section (3), the following sub-section shall be inserted, namely:—

“(4) The promoter may submit a simple application to the State Government for extension of time, giving detailed reasons. The State Government after due consideration, if satisfied may grant extension of time.”.

4. Amendment of section 18.—In section 18 of the principal Act, for the sign and words “, and subject to such maximum rates as may be prescribed or ordered, have power”, the words “has power” shall be substituted.

5. Omission of section 18-A.—Section 18-A of the principal Act, shall be omitted.

6. Amendment of section 27.—In section 27 of the principal Act, in sub-section (2), for the words “not exceeding fifty rupees”, the words “as may be prescribed from time to time” shall be substituted.

7. Amendment of section 33.—In section 33 of the principal Act,—

- (a) for the words “which may extend to five thousand rupees”, the words “as prescribed from time to time” shall be substituted; and
- (b) for the words “which may extend to five hundred rupees”, the words “as prescribed from time to time” shall be substituted.

8. Amendment of section 35.—In section 35 of the principal Act, for the words “which may extend to two hundred rupees”, the words “as prescribed from time to time” shall be substituted.

STATEMENT OF OBJECTS AND REASONS

The Himachal Pradesh Aerial Ropeways Act, 1968 (7 of 1969) provides for construction and regulation of aerial ropeways in the State of Himachal Pradesh. The Act was basically aimed for regulation of transportation by ropeways in remote areas in the State because of limited road connectivity at that time. With the passage of time, the Himachal Pradesh has emerged as big tourist destination and the Government has taken various initiatives in this direction and invited private sector to set up passenger ropeways under Public Private Partnership and Built Operate and Transfer mode on an annual license fee basis. The present provision of minimum headway of 10 meters between the roof top of the houses or buildings and the base of the cabin as per section 6 of the Act is creating technical problems in designing the ropeways from seismic and wind velocity point of view and execution at site. Hence, the said provision is proposed to be omitted.

In section 9, the provision for applying for extension of time needs amendment because at present, procedure for granting extension of time is very lengthy. Therefore, a simple procedure is required to facilitate the ease of doing business. In order to make the projects more viable, there is a proposal to allow the promoters to fix rates for the carriage of passengers, animals or goods.

The provisions under sections 27, 33 and 35 are required to be amended in order to prescribe the different fines in the rules to avoid frequent amendments.

This Bill seeks to achieve the aforesaid objectives.

Sd/-
(JAI RAM THAKUR)
Chief Minister.

SHIMLA :

The, 2019
